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American Public Problems

IMMIGRATION

AND ITS EFFECTS UPON THE UNITED STATES

BY
PRESCOTT F. HALL, A.B., LL.B.

SECOND EDITION, REVISED

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EDITOR'S PREFACE

Mr. Hall's *Immigration* is the first of a series which the publishers plan gradually to augment until it covers the field of controverted topics in American political, economic and social affairs, in which there is any widespread public interest. Each of the volumes will be devoted to a single and to a definite question; and all, it is hoped, will possess certain desirable characteristics in common. Thus, a history will be given of each question in its political and legislative aspects; all the facts that are available and pertinent in respect to it; and a careful and impartial discussion of the policies that have been advocated for the future. But authors will, of course, be free to adopt any method of treatment that they please, and to uphold or to condemn as they may see fit.

So far as possible, the editor wishes to make the series one of genuine weight and consequence,—not only as books and literature, but as a contribution to national life and welfare. The problems with which the Series will deal are all important; those on the right solution of which much of the nation's greatness and prosperity, and even its existence, may well be said to depend. But such a solution, it is believed, can only be achieved in one way, —by thorough understanding, and by intelligent, thoughtful discussion. And it is to such understanding and discussion that the Series will seek, in as weighty a measure as possible, to contribute.

R. C. R.

New York City
December, 1905

AUTHOR'S PREFACE

THE great interest now shown by the American people in the immigration question, and the very general lack of information as to the conditions and effects of immigration, seem to call for a new handbook on the subject. Since the publication of the late Professor Mayo-Smith's book, in 1890, important changes have taken place in immigration itself; and many valuable reports and articles have been published, the most comprehensive of which is, perhaps, the *Report of the Industrial Commission* made in 1902.

The extent and importance of these changes have naturally resulted in considerable attention being given, in the present volume, to the most recent period, and less to the historical survey of immigration in the earlier part of the country's existence; for, however interesting the history of the matter may be, the problems which confront the American people to-day, with regard to immigration, are of comparatively recent origin.

The limits of the present volume forbid any elaborate treatment of the various races of our immigrants, either statistical or descriptive. For the benefit of those who wish to study this phase of the subject further, the author has made a free use of footnotes, and has appended a list of the more important authorities.

The plan of the book is to present first the facts in regard to immigration—its history, causes and conditions. In Part II. the effects of immigration are discussed. In

Part III. the history of past legislation upon the subject is given, and various proposed remedies for the evils of immigration are described. Part IV. deals with Chinese immigration. Copies of the federal immigration acts now in force are appended.

The author desires to acknowledge his obligations to the late Professor Mayo-Smith, not only for many facts in his book but for suggesting the preparation of this volume. He wishes also to express his indebtedness to the various officials of the Immigration Service during the past ten years for their unfailing courtesy in answering inquiries and permitting examination of inspection methods; and to Mr. R. DeC. Ward, for many valuable suggestions.

The immigration question in this country has never in the past had the attention to which its importance entitles it. It has sometimes been the scapegoat of religious and racial prejudices, and always, in recent years, an annual sacrifice to the gods of transportation. The causes of this indifference are not far to seek. In the early days, the people of this country were busy with other matters: the immigration was small and not especially objectionable in quality. Later, the doctrines of the *laissez faire* school, and the narrow and prejudiced theories of the Know-Nothing movement helped to continue the status of free immigration. More recently a superficial interpretation of the doctrine of the "survival of the fittest" has led the public to adopt an easy-going optimism with regard to racial questions, forgetting that this doctrine really means that those survive who are fittest *for survival only*, and not necessarily fittest for any other purpose.

At the present time, the enormous volume of immigration has attracted the attention of the public, but its

conditions and effects are familiar to few. If this volume contributes in any degree to a further knowledge of the subject its purpose will have been accomplished.

PRESCOTT F. HALL

60 STATE STREET, BOSTON
December, 1905

NOTE TO THE SECOND EDITION, REVISED

Since this book was published, the Act of March 3, 1903, and the contract labor acts of 1885 and 1888 have been superseded by the codifying Act of February 20, 1907. Inasmuch as the provisions of the Act of 1903 are discussed on pp. 216-255, it has been thought desirable to substitute the text of the new act for the old in the Appendix, in order that readers may have the exact wording of the present law at hand. Although it was not practicable to insert references to the new act throughout the text, readers can readily ascertain what changes have been made by comparing the text of the new law with the statement of the old.

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PART I

IMMIGRATION AND EMIGRATION

CHAPTER I

HISTORY OF IMMIGRATION

A. IMMIGRATION PRIOR TO 1820[1]

In popular discussions of the immigration question it is often said that all who have come to this continent since its discovery should be considered equally as immigrants, and that only the aboriginal inhabitants can be properly called natives. In a certain sense this is of course true, but in another it is entirely misleading; for one cannot speak of immigration to a country until that country has entered upon a career of national existence. Accordingly a distinction has been made,[2] and with reason, between those who took part in building the political framework of the thirteen colonies and of the Federal Union, and those who have arrived to find the United States Government and its social and political institutions in working operation. The former class have been called colonists, the latter are immigrants proper. In discussing the immigration question, this distinction is important; for it does not follow that because, as against the native Indians, all comers might be considered as intruders and equally without claim of right, those who have built up a complicated framework of nationality have no rights as against others who seek

[1] Cp. John R. Commons, "Colonial Race Elements," in *Chautauquan*, vol. 38, pp. 118-125 (Oct. 1903).

[2] Mayo-Smith, *Emigration and Immigration*, p. 35.

to enjoy the benefits of national life without having contributed to its creation.

The number of persons in the country at the date of the Revolutionary War is not accurately known. The population of New England was produced out of an immigration of about 20,000 persons who arrived before 1640, and it overflowed into the other colonies without receiving any corresponding additions from them. Franklin stated in 1751 that the population then in the colonies, amounting to about one million, had been produced from an original immigration of less than 80,000.[3] The first census of the United States, in 1790, gave the total population as 3,929,214; but, as has been pointed out by Professor F. B. Dexter,[4] this number does not include Vermont or the territory northwest of the Ohio River, which, he says, would make the total over 4,000,000. The first records of immigration begin with the year 1820, and, although the number of immigrants who arrived in the United States from the close of the Revolutionary War to 1820 is not certain, it is estimated by good authorities at 250,000.[5]

It is difficult to ascertain the number of immigrants from the various countries in the early part of the nineteenth century. The number from Great Britain increased from 2081 in 1815, to 34,787 in 1819, after which it diminished to 14,805 in 1824.[6] In the year 1820, out of a total immigration of 8385, the United Kingdom furnished 6024. Germany was second with

[3] *Franklin's Works* (Spark's Ed.), vol. 2, p. 319. Cp. *Washington's Works*, vol. 12, p. 323; *Madison's Works*, vol. 3, p. 213.

[4] *Estimates of Population in the American Colonies*, Worcester (1887).

[5] Bureau of Statistics, series 1892-1893, *Quarterly Report*, No. 2, p. 7.

[6] Mayo-Smith, p. 17.

968; France third with 371; and Spain fourth with 139. The total immigration from the other parts of North and South America was 387.[7]

The original settlers of this country were, in the main, of Teutonic and Keltic stock. In the thirteen original States the pioneers were practically all British, Irish, Dutch, and German, with a few French, Portuguese and Swedes; and, in this connection, it should be remembered that a large proportion of the French people is Teutonic in origin. The Germans were Protestants from the Palatinate, and were pretty generally scattered, having colonized in New York, western Pennsylvania, Maryland, and Virginia. The Swedes settled upon the Delaware River. The French were Huguenots driven from home by Louis XIV.; and, though not numerous, were a valuable addition to the colonies. The Irish were descendants of Cromwell's army, and came from the north of Ireland. All the settlers had been subjects of nations which entertained a high degree of civilization, and were at that time the colonizing and commercial nations of the world. At a later period, the annexation of Florida and Louisiana brought in elements of Mediterranean races, so called; but, owing to various considerations into which it is not necessary to enter here, the civilization and customs of the British overspread these regions, as well as those colonized originally by the Dutch and French, and produced a substantial uniformity in institutions, habits and traditions throughout the land.

This process of solidification and assimilation of the different colonies under British influence reached its consummation with the establishing of the Federal Government. After the birth of the United States as a separate

[7] Bureau of Statistics, *Op. cit.*, pp. 32-39.

nation, colonization in the earlier sense ceased entirely. European nations could no longer send out their own citizens and form communities directly dependent upon themselves and subject to their own jurisdiction. The immigration of the nineteenth and twentieth centuries, therefore, differs widely in character from the colonization of the seventeenth and eighteen centuries.

B. IMMIGRATION FROM 1820 TO 1869

With the year 1820 the official history of immigration to the United States begins; for it was then that collectors of customs at our ports were first obliged to record the arrival of passengers by sea from foreign countries. The record included numbers, ages, sexes, and occupations. Before 1856 no distinction at all was made between travellers intending to return and immigrants intending to remain.

Although still comparatively small, immigration increased from 8385 in 1820 to 22,633 in 1831. The first marked rise took place in 1827 and 1828, following the commercial depression in England in those and in the previous year. From 1831, with the exception of the period 1843-1844, numbers continued steadily to advance until they reached totals of 104,565 in 1842, and 310,004 in 1850. The most striking annual increases were from 114,371 in 1845 to 154,416, in 1846, and 234,968 in 1847. These sudden movements of population were chiefly due to hard times in Europe, and especially in Ireland, a cause which, with the Revolution of 1848 in Germany, continued to operate until 1854, when a total of 427,853 was reached—a figure not again attained until nearly twenty years later. With the year 1854 the tide began to beat less fiercely; immigration decreased steadily until,

during the first two years of the Civil War, it was below 100,000. But in 1863, a gradual increase once more set in and in 1869, 352,768 persons landed. During the whole of this period the only immigration of importance came from Europe and from other parts of America. Immigration from Asia, which began in 1853, consisted in the largest year, 1854, of 13,100 persons.

In 1869 the ethnic composition of immigration commenced in a marked way to change, and considerations which apply to the earlier years do not necessarily hold for those from 1870 to the present time. For this reason the period is made to end with 1869.

C. IMMIGRATION FROM 1870 TO 1905

In the period from 1870 to 1905, immigration increased more than two fold. In 1870 the total immigration was 387,203; in 1903 it had reached the enormous number of 857,046, and, in 1905, the still more significant figure of 1,026,499. Directly after 1870 a [illegible] industrial and commercial depression began, culminating in the panic of 1873. The barometer of immigration, always sensitive to such changes in the industrial atmosphere, began to fall, though there was no rapid movement until the panic was well under way. In fact, immigration increased to 459,803 in 1873; but it fell in the following year to 313,339 and then steadily diminished to 138,469 in 1878. After this it very suddenly increased again, and in 1882 it reached 788,992—the largest immigration of any year except 1903, 1904, and 1905.

A part of this sudden increase in 1882 and the two subsequent years, must be ascribed to the promulgation of the "May Laws" by Russia, which caused large num-

bers of Hebrews to emigrate.[8] Thus, immigration from Russia, exclusive of Poland and Finland, was nearly four times as great in 1882 as in 1881, and by 1890 was more than seven times as great. But, in addition to these special causes, there seems to have been a general advance all along the line of nations. One reason for this may have been the enactment by Congress of the first general immigration act of August 3, 1882, and the fear that this might be the forerunner of further restrictive legislation, a fear which has undoubtedly operated during the last two or three years.

After 1882 numbers again diminished, making another low point of 334,203 in 1886. Then an increase took place until the total reached 579,663 in 1892. In 1893 came the epidemic of cholera in the East and quarantine regulations at various ports, followed by a period of commercial depression lasting from 1894 to 1898. As a result of these causes, immigration fell off largely, touching a minimum of 229,299 in 1898. From that year it rose by rapid strides to 648,743 in 1902; to 857,046 in 1903; to 812,870 in 1904; and to 1,026,499 in 1905. The total for 1905 was an increase of 26 per cent. over that of 1904; 58 per cent. over that of 1902; and 349 per cent. over that of 1898. The record for a single day seems to have been reached on May 7, 1905, when 12,000 immigrants entered New York inside of twelve hours.

D. SUMMARY

It appears that the total immigration to the United States from the close of the Revolutionary War to 1905 was not far from twenty-three millions, a movement of

[8] As to the detailed working of these laws see W. Evans-Gordon, *The Alien Immigrant*, pp. 60-61, 97, 111, 124, 156.

population unprecedented in history. This was divided by decades as follows:

1821 to 1830	143,439
1831 to 1840	599,125
1841 to 1850	1,713,251
1851 to 1860	2,598,214
1861 to 1870	2,314,824
1871 to 1880	2,812,191
1881 to 1890	5,246,613
1891 to 1900	3,687,564
1901 to 1905 (five years)	3,833,076
TOTAL, 1821-1905	22,948,297

If the average holds to the end of the present decade the number for 1901-1910 will be nearly eight millions of souls, much the largest contribution on record for the same period. It need surprise no one, however, if the total for the decade should be twice as large as this, for the increase in the last few years is enormous, and the general tendency during the past century has been toward a steady and rapid growth of the immigration movement.

Another way of viewing the annual immigration is with reference to the volume of population into which it flows. This has the advantage of showing how relatively small the annual additions are, though they are enormous compared with the additions to the population of other countries. But it has also a disadvantage in that it takes account merely of numbers, and does not reckon with the character or racial composition either of the annual additions or the people with whom they are to be mixed.

The following table shows the number of immigrants arriving in each year, from 1839 to 1901, and the number of immigrants to 10,000 population:

FOREIGN IMMIGRATION TO THE UNITED STATES [8a]

Year ending Dec. 31	Number of Immigrants	Number of immigrants to 10,000 population
1839	68,069	41
1840	84,066	49
1841	80,289	45
1842	104,565	57
Sept. 30.		
1844	78,615	40
1845	114,371	57
1846	154,416	75
1847	234,968	111
1848	226,527	103
1849	297,024	132
1850	369,980	134
1851	379,466	158
1852	371,603	149
1853	368,645	143
1854	427,833	162
1855	200,827	73
1856	195,587	69
1857	246,945	85
1858	119,501	40
1859	118,616	35
1860	150,237	47
1861	89,724	28
1862	89,007	27
1863	174,524	52
1864	193,195	57
1865	247,453	71
1866	314,917	88
1867	310,965	86
June 30.		
1869	352,768	93
1870	387,203	100
1871	321,350	81
1872	404,806	99
1873	459,803	110
1874	313,339	73
1875	227,498	51
1876	169,986	37
1877	141,857	30
1878	138,469	29
1879	177,826	36
1880	457,257	91
1881	669,431	128

[8a] *Report of the Industrial Commission*, vol. 19, p. 958.

Year ending June 30	Number of Immigrants	Number of immigrants to 10,000 population
1882	788,992	150
1883	603,322	112
1884	518,592	94
1885	395,346	70
1886	334,203	58
1887	490,109	85
1888	546,889	91
1889	444,427	72
1890	455,302	72
1891	560,319	88
1892	579,663	88
1893	439,730	64
1894	285,631	42
1895	258,536	37
1896	343,267	48
1897	230,832	32
1898	229,299	30
1899	311,715	40
1900	448,572	58
1901	487,918	61

It will be noticed that while in such a table it would be natural for the index numbers to grow smaller as the population grew larger, in general they are as high during the past twenty years as during the periods from 1839 to 1846, from 1855 to 1865, and from 1875 to 1880.

The only times when immigration exceeded one per cent. of the receiving population were the period 1847-1854, the years 1870, 1873, the period 1881-1883, and the years 1903-1905.

E. EMIGRATION

It is unfortunate that no accurate records are available of emigration from this country. The Immigration Bureau has repeatedly made recommendations for sup-

plying this defect,[9] but Congress has not seen fit to act, and the only figures available are those of the transportation companies, supplemented by such conclusions as can be drawn from the census. The census obviously cannot furnish very accurate data for estimating emigration, because persons who have been in the country more than once may figure at a certain date in the census and a year or two later in the immigrant arrivals.

The same facilities for cheap and rapid transit which operate so powerfully to encourage immigration are available also for passage in the other direction. Passage from New York to European ports is from two to ten dollars less than the rate to this country; and the number of domestic servants, for example, taking advantage of these rates to pass a summer or winter abroad has become so large as to cause comment. In 1903, eastbound steerage passengers, according to figures obtained by the Department of Commerce and Labor, numbered 251,500; and for the decade 1891 to 1900, excepting the years 1896 and 1897, for which no figures are available, the number was 1,229,909; or a probable total for the decade of 1,529,909.[10] At certain times the exodus is larger than the influx. Thus, during the period from November 1 to December 8, 1894, the number of emigrants was 25,544, while immigrant arrivals for the month of November numbered 12,886.

[9] *E.g., Report of the Commissioner-General of Immigration, 1903*, p. 62.

[10] R. P. Faulkner, "The Immigration Problem," in *Political Science Quarterly*, vol. 19, pp. 37, 38. The argument of the American Line before the Senate Committee on Immigration of the 57th Congress, p. 24, gave the eastbound steerage passengers for the period 1893 to 1901 as 1,281,936, or 44 per cent. of the westbound, for the direct lines; and for 1895 to 1901 as 37,432, or 19 per cent. of the westbound, for the Canadian lines.

The hard times of 1893 caused large numbers of Italians to return home. The total of steerage passengers sailing from New York, Boston, Philadelphia, Baltimore, New Orleans, and Montreal in that year was 268,037; in 1894, it was 311,760. The Italian Commissioner-General of Emigration states that, in 1903, 214,157 Italians went to the United States and 78,233 returned.[11]

Naturally, many of those who return home, come again to the United States when conditions here are more favorable, or they have spent the money accumulated while in this country. In 1898, 18 per cent. of immigrants had been in this country before; in 1901, 12 per cent.; in 1903, 9 per cent.; in 1905, 17.1 per cent. These figures do not, of course, show how often the immigrants represented have been in the United States; for although this information appears to some extent upon the manifests, it is not tabulated in the official reports. From a personal examination of the manifests of several thousand Italians at Ellis Island, New York, the writer can state that large numbers have been here two, three, four, and in some cases six or more times. In view of this the inaccuracy of estimates based on the census becomes even more apparent. Poles, Slovaks, and other mining laborers are frequent birds of passage; and in the case of Canadians working in the United States, there is a large exodus of persons returning home, some in the winter and some in the summer, according to the nature of their occupation.

It is to be hoped that in accordance with the recommendations of the Immigration Bureau, Congress will require the collection of statistics as to emigration.

[11] *Report of the Surgeon-General of the United States, 1904,* p. 218.

CHAPTER II

THE CAUSES OF IMMIGRATION

A. IN GENERAL

History, from one standpoint, may be considered the story of race migration and its effects. The Tartar invasion of Europe, the Roman invasion and conquest of a considerable part of three continents, the Germanic invasion of the Roman Empire, the invasion of America by the Spaniards and afterwards by the English, as well as the peaceful immigration of recent times on an enormous scale, are facts of the greatest magnitude.

It has been said by a leading biologist[1] that all organic evolution is *sympodial.* This means that, when growth has taken place in a certain way for a time, it takes a new direction, carrying the chief vigor of the organism with it, so that the new growth becomes more important than the old, the latter perhaps dying out entirely. From this point of view a race may be likened to a strawberry plant, which after growing upward and increasing, sends out runners and establishes new colonies in adjoining soil, with the result that, in time, the new plants become more vigorous than the old, and in turn send out their runners. According to this theory, the "offshoots" of a race are indeed not metaphorical, but examples of a general law of growth.

In general, emigration has always taken a westerly direction. This is a curious phenomenon which has

[1] Lester F. Ward, *Pure Sociology,* (1903).

never been satisfactorily explained. Exceptions have sometimes occurred for special reasons, as when the northern tribes were attracted by the wealth and power of Rome, and when a large British emigration was drawn by the gold of Australia, and the wealth of India inspired conquest. But in the case of the Manchus, Persians, Tartars, Turks, Hebrews, Spaniards, English, and many other races, the general direction has been westward.

The cause of migration, sometimes hard to trace in detail, is for the most part the overgrowth of population. This creates a need for further sustenance, more space and new opportunities; and the race either moves *en masse* to seek pastures new, or a part splits off, just as in the case of protozoa which propagate by fission. The power of such a movement is tremendous. De Tocqueville wrote of American immigration in 1835, "No power on earth can close upon the immigrant that fertile wilderness which offers resources to all industry and a refuge from all want." Sometimes the first step in this process is war with a neighboring race; and a conquest may result in unexpected expansion, as was the case when the United States acquired the Philippine Islands. If peaceful expansion be difficult the result is either race-suicide or war. The recent conflict between Japan and Russia was partly due to the fact that the 40,000,000 inhabitants of Japan were cooped up in a territory smaller than California, and required an opportunity for expansion.

A distinction may be made between the migration of tribes by means of conquest, and peaceful emigration which is the movement of individual units. Indeed, the latter may be said to be generally a movement of the conquered. The subjugation of colonies has always been

undertaken with the idea of increasing the power and influence of the home country, and, until very recently, colonial administration has always been conducted for the benefit of the governing race; the emigrating individuals have been leaders at home and abroad. But the Pilgrims who settled New England, the Huguenots banished from France, the Jews driven from Spain, and, later, from Russia by the May Laws, and the Italians from the slums of Naples, are instances of individuals conquered at home. The inability to cope with home conditions may indeed express different reactions in the cases of different kinds of individuals. It is an ambiguous symptom, and may betoken a most enterprising and aspiring character, or a "beaten," atavistic and valueless nature. The million or more Jews who were led from Egyptian slavery by Moses created a religious State exerting a lasting influence upon the life and thought of the world. The Pilgrims and Puritans, seeking liberty and a chance to develop a new and lofty type of civil and religious commonwealth, produced a civilization which, in spite of obvious defects, has excited the admiration of mankind. Much of the recent immigration, however, is not led by the hope of bursting its bonds, but by the allurements of promised wealth and material comfort.

In general, then, migration is due to the tendency to follow a path either of increased attractiveness or of diminished resistance. Its fluctuations may be classed under two heads; the gradual growth exhibited in later periods as contrasted with earlier ones, and the interruptions to this steady increase. The causes of these fluctuations we shall now examine.

B. PROSPERITY OF THIS COUNTRY

While the desire to escape from persecution or oppression operated chiefly in the early settlement of the United States, and still operates in a few cases, there is no doubt that the chief influence affecting immigration in recent times is the prosperity of this country. This is shown by the fact that there is a marked relationship between industrial and commercial activity in the United States and the volume of immigration. The latter, of course, follows upon the former, and usually acquires a certain momentum which causes it to continue for a time after the demand for labor here has diminished.[2] In 1837, for example, the total immigration was, roughly speaking, 79,000; after the panic of that year it fell off in 1838 to 38,000. In 1842, the total was 104,000; in 1844, after a depression, it was 78,000. By 1854, as a result of the famine in Ireland and the political revolution in Germany, it had increased to 427,000; but in 1860 at the opening of the Civil War it fell to 90,000. After the close of the war it increased until, in 1872, it was 438,000; but with the panic it fell, in 1874, to 261,000, or nearly one-half. From that time it increased to a maximum of 730,000 in 1882. Owing in a measure to the passage of the first restrictive law and the contract labor acts, it fell off in 1885 to about 400,000. It then increased somewhat; but it was checked in 1893 by the cholera epidemic and the consequent quarantine regulations. Beginning with 1894, and lasting several years, there was a period of commercial depression, to which the agitation of the currency question in part contrib-

[2] On the relation between prosperity and immigration see the author's testimony before the Industrial Commission, *Report of the Industrial Commission,* vol. 15, pp. 49 ff, and the chart annexed.

uted; and in 1898 immigration reached the very low mark of 229,000. From this point there was a very rapid rise, until, in 1903, the highest point hitherto reached was attained, *viz.*, 857,000. In 1894, owing in some degree to the closing or partial shutting down of many mills, to political conditions, and probably, in larger part, to the difficulty of finding employment for the enormous numbers of the few preceding years, the total again fell off; but in 1905 the high water mark of 1,026,499 was attained.

The commercial activity of this country not merely induces immigrants to desire to come; it makes their coming possible. The testimony before the Industrial Commission[3] disclosed the fact that 40 to 55 per cent. of those who arrive (some estimates range as high as 60 per cent.), have their passage prepaid by friends or relatives in this country, and from 10 to 25 per cent. more buy their tickets abroad with money sent from the United States. The money used to enable friends and relatives of immigrants already here to emigrate to this country, must come from the latter's savings; and the amount of such savings depends upon the relation of wages to the cost of living, and upon the steadiness of employment.

Knowledge of industrial conditions in this country is conveyed abroad through many channels. Perhaps the most common are the newspapers and the personal letters of friends or relatives. There are also doubtless many employment agencies abroad which are familiar with conditions here, and which let it be known that if laborers of a certain type go to a certain place in the United States they can find work. This is not a violation of the contract labor law, for there is no contract to

[3] *Report of the Industrial Commission*, vol. 15, pp. 95, 104, 115, 118.

labor; it is not even an "offer, solicitation, promise or agreement" to give employment within the present law.

One other important aspect of the relation between prosperity and immigration may be noted: that in times of depression it is in skilled immigrants that the decrease takes place. This is due, in part, to the better knowledge of trade conditions on the part of such persons, and in part to the fact that many public and quasi-public works go on in times of commercial stagnation; while the mills and factories which employ the higher class of skilled labor are to a greater or less extent shut down. Further, unskilled labor is more mobile, and can take up easily any unskilled occupation in any locality; also, as it is largely unmarried, it can accommodate itself more readily to a reduction of wages. The skilled workman as a rule, can do but one thing; frequently he has a family and dislikes to change his residence. Foreign skilled workmen know that if they come to this country in a time of industrial depression, they run a great risk of being forced into the ranks of the unskilled, and they prefer to remain in their native surroundings until they can emigrate with the assurance of permanent and profitable employment.

For certain kinds of unskilled labor there is a steady demand at all times. A good example is the domestic servants. One-third of the three hundred intelligence offices in New York City depend on foreign-born residents and their children for their supply; fully another third depend upon recent arrivals;[4] and there is no doubt that the employment offices stimulate the immigration of this class, just as the padroni do in the case of unskilled male laborers.

[4] F. A. Kellor, "Immigration and Household Labor," in *Charities*, vol. 12, pp. 151-2, (Feb. 6, 1904)

C. RELIGIOUS PERSECUTION AND POLITICAL OPPRESSION

In the early settlement of the country, religious and political persecution had no small part in promoting immigration. The flight of the Pilgrims from England, of the Quakers to Pennsylvania, and of the Huguenots expelled by Louis XIV., are well known to everyone. Again, after the revolution of 1848 in Germany, and after the partition of Poland, many political refugees came to this country and helped build up our Middle States. At the present time comparatively few instances of persecution, whether on account of political or religious opinions, take place. The chief exceptions are the cases of the Armenians fleeing from Turkey and the Jews coming from Russia to avoid oppressive legislation. But even in the case of the Jews, it is probable that the numbers fleeing from actual persecution are relatively small, and that the bulk of immigration comes from fear of persecution and to escape the grinding oppression which, however hard to bear, is not to be confused with the fanatical outbreaks of slaughter and violence.

The history of Russian legislation affecting the Jews is a long one and cannot be adequately treated here.[5] One of the principal objects of the Russian government is to Russianize all subjects of the Czar, and this implies as an ideal the universal dominion of the Greek Orthodox Church as well as of the State. It should, therefore, be borne in mind in speaking of the question of the Russian Jew, that the Polish Roman Catholics are quite as much oppressed in Russia as the Jews themselves. The recent attempts to Russianize Finland have resulted in the emigration of large numbers of Stundists, Doukhobors, and others. The general policy of Russia is to

[5] See Major W. Evans-Gordon, *The Alien Immigrant.*

restrict the Jews within a circumscribed territory, including what was formerly the kingdom of Poland and certain contiguous western provinces. This, known as the Jewish Pale, was first established in 1786. In 1897 the number of Jews in the Russian Empire according to the census was 5,189,401; of these, 1,316,576 were in Poland, and 3,607,373 were in Russia. A few especially favored classes, amounting to a small percentage of the total, are allowed to reside outside the Pale. Under the "May Laws," often mentioned in this connection, enacted in 1882, all the Jews, except those who could prove a right of residence in small towns and villages, were obliged to move into the large towns. The May Laws have thus created the Ghetto conditions in Russia, and have caused much of the Hebrew emigration since they were passed. The congestion in the cities and large towns has resulted not only in disease, but in overcrowding industries and lowering the standard of living. This result is intensified by the fact that only a few occupations are open to the Jews, and that public work, including transportation and its branches, is entirely closed to them. Roumania was created a kingdom by the Treaty of Berlin, which especially stipulated for the complete civil and religious liberty of the Jews. The Roumanian government, however, has since surpassed even the Russian in its oppressive laws.[6] If the oft-promised liberal reforms should take place in Russia, Jewish emigration from that country might considerably diminish. On the other hand, the Aliens Bill recently enacted by Great Britain is likely to turn many of the most undesirable of this race to the United States.

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[6] For further details see Dr. Richard Gottheil, in *World's Work*, pp. 3689-3693 (July, 1903). The article also contains a sketch of anti-semitism in other countries.

Most of the 8,581,000 Jews still in Europe are in Russia, Austria, the Balkan States and Germany, and are subject to more or less unfavorable discrimination. They may, therefore, at any time still further increase the number now in this country. The fear that an anti-semitic feeling may arise in the United States, if Hebrew immigration keeps its present level, is leading some Jewish leaders to try to check the influx and to divert immigration to other countries.

D. FACILITY OF TRANSIT

It is obvious that the cost and the degree of hardship involved in coming to this country must be an important factor in determining the volume of immigration at any particular time. The great change which has come over conditions of immigration in this respect is well described by General Francis A. Walker[7] as follows:

"Fifty, even thirty, years ago, there was a rightful presumption regarding the average immigrant that he was among the most enterprising, thrifty, alert, adventurous, and courageous, of the community from which he came. It required no small energy, prudence, forethought, and pains to conduct the inquiries relating to his migration, to accumulate the necessary means, and to find his way across the Atlantic. To-day the presumption is completely reversed. So thoroughly has the Continent of Europe been crossed by railways, so effectively has the business of emigration there been exploited, so much have the rates of railroad fares and ocean passage been reduced, that it is now among the least thrifty and prosperous members of any European community that the emigration agent finds his best recruiting-ground. The care and pains required have been

[7] *Discussions in Economics and Statistics*, vol. 2, p. 446. Cp. Bryce, *American Commonwealth*, vol. 2, p. 726.

reduced to a minimum; while the agent of the Red Star Line or the White Star Line is everywhere at hand, to suggest migration to those who are not getting on well at home. The intending emigrants are looked after from the moment they are locked into the cars in their native village until they stretch themselves upon the floors of the buildings on Ellis Island, in New York. Illustrations of the ease and facility with which this Pipe Line Immigration is now carried on might be given in profusion."

In 1900 over $118,000,000 was invested in transatlantic steamship lines, and these to-day are largely owned by foreigners. The multiplication of lines, especially the new ones to the Mediterranean, the increase in the number of sailings, and the size of the ships, have all made it easier and cheaper for an immigrant to come to this country. The sea formerly acted as a sieve, now the meshes let through every species of voyager. Furthermore, in spite of the consolidation of many lines into the International Mercantile Marine Company, there is still, as there always has been, a certain amount of rate cutting which gives an exceptional opportunity for the immigration of the poorer classes. For example, in July, 1894, the Cunard, White Star, Hamburg-American, and American Lines charged from South Liverpool or London to New York $15, and for the return trip $10. In the summer of 1904, a rate war resulted in the reduction of the steerage passage from Liverpool to New York to $8.75, and from London or Liverpool to Quebec to $10. The American Line for a short time carried passengers to Philadelphia for $7.50. Of course, these rate wars are usually of short duration, and, since 1880, numerous pooling and other agreements have been effected to maintain a high level of rates, in fact to keep them considerably above what they were in 1880. Thus,

in 1901, the rate from Naples to New York was $28, from Bremen $36.50, and from Antwerp $29.50.[8] Nevertheless, the general tendency of steerage rates in recent times has been to become lower, and this could hardly be otherwise, considering the competition and the diminished cost of carrying immigrants. The food consumed during the voyage costs less than $1.50 a day, and the immigrant is the cheapest kind of cargo to carry, for he loads and unloads himself and his baggage. From 1859 to 1882 the average steerage rate as indicated in Boston and London newspapers was about $30. Beginning with January 1, 1883, the price was reduced to about $21. In 1885, it was once more reduced to $15; but in 1886 it rose to $25. Special railroad rates are usually made in connection with steamship steerage rates, both to interior points in this country and in Europe from the immigrant's home to the seaboard. These likewise are subject to fluctuations from time to time. In 1896, the immigrant rate from New York to Chicago was only $13.

Before the formation of the International Mercantile

[8] *Report of the Industrial Commission,* vol. 15, p. xiv. In 1904 the steerage rates from the countries named below to New York, as reported by our consuls, were as follows, *i.e.* $5 to $8 higher than in former years, according to *Special Consular Reports,* vol. 30:

Austria-Hungary (Fiume to New York)	$38-41
Belgium (Antwerp)	17-36
France (Havre)	35
Greece (Piraeus)	35
Italy (Naples)	27-39
Denmark (Copenhagen)	32-35
Norway (Christiania)	32-36
Spain (Barcelona)	49
England (Liverpool)	25-38
Japan (Yokohama to San Francisco)	33

The rate from this country to Europe is generally from $2 to $5 less than in the reverse direction.

Marine Company and its understandings with other lines, and to some extent since, the steerage rates have been fixed in Europe by the companies for the purpose of avoiding rate cutting and undue competition. There are three "conferences" of transatlantic lines—the North Atlantic, the Mediterranean and the Continental.[9] By means of these, rates were forced up to the figures given for 1901; but even at that point they were much lower than they were twenty years earlier. It is admitted by the steamship companies that rates cannot be advanced much more without a falling off in traffic. But low rates alone do not seem to have a very powerful effect in stimulating immigration.

As has been said, steamship lines are being extended to ports with which we had but little or no direct communication a few years ago. Every such extension means more immigrants. Italians have increased noticeably in Boston since the Dominion Line steamers first began to run thence to Mediterranean ports. The Cunard Line also has recently undertaken a fight for a share of the Mediterranean steerage traffic, and has even gone so far as to get the Hungarian government to guarantee that 30,000 immigrants a year would ship from its territory. This brings us to the next point to be considered, the methods used by the steamship companies to obtain passengers.

E. SOLICITATION BY STEAMSHIP AGENTS[10]

The present law forbids transportation companies or the owners of vessels to "directly or through agents, either by writing, printing or oral solicitations, solicit,

[9] See *Report of the Industrial Commission,* vol. 15, pp. 107-109, 118.

[10] Cp. *infra,* chapter xi., c.

invite or encourage the immigration of any aliens into the United States except by ordinary commercial letters, circulars, advertisements or oral representations, stating the sailings of their vessels and terms and facilities of transportation therein." Nevertheless, there is no doubt that a large part of the present emigration is neither spontaneous nor normal. It is rather a process of artificial selection of population on the part of the steamship companies, who induce whomever they can to emigrate, provided the person is reasonably sure to pass inspection. Indeed, the companies have not always stopped here. The practice of requiring the payment of double passage money from immigrants, making a profit on the return trip if they were rejected, and keeping the return passage money if they were admitted, at one time became so common that the Italian government was obliged to pass a law giving the immigrant a right of action to recover the money for the return passage. Since the act of March 3, 1903, imposing upon any steamship company bringing a diseased alien a fine of $100, it is alleged that in some cases not only the return passage money but the amount of the fine has been demanded; then the immigrant has been brought on the chance of his getting in. These extreme, and it is to be hoped unusual, cases are mentioned in this place to show the great competition which exists in getting the immigrant business.

The number of regularly employed and paid steamship agents in Europe is enormous. The Red Star Line alone formerly had 1500 of them. But in addition to the regular agents, who are supplied with copies of the American immigration laws and are supposed to enforce them, there are thousands of other persons in the smaller towns in the interior of Europe who act as agents by making

a commission on the sale of tickets. It is claimed by the steamship companies that these men are entirely unknown to them, that they have no control over their acts, and are not responsible for the representations they may make. In many cases this is no doubt true. Nevertheless, the companies are partly responsible for allowing tickets to be sold at a discount or by other persons than their regular agents. It seems, moreover, true that many immigrants have been induced to sell their little farms or houses and frequently to expend their whole capital in coming to the United States, on the representations of agents, or persons working under them, as to the fabulous wealth of this country, the ease of accumulating a fortune, and the amount of public land to be had for the asking. The present writer has more than once seen immigrants throw their cooking utensils overboard in an American harbor believing that all they had to do was to pick up news ones on reaching land.

In addition to the solicitations of the countless steamship agents and sub-agents abroad, there is perhaps an equal and more effective pressure by steamship agents in this country. As has already been shown, a considerable proportion of immigrants come to this country on prepaid tickets; and no doubt the wish of those here to send for friends or relatives is often made concrete and effective by the solicitation of some drummer-up of business in the resident's neighborhood.

F. ASSISTED IMMIGRATION

In the earlier periods of European history, emigration was not favored, inasmuch as it was a distinct loss to the industrial and military powers of the various nations. Toward the end of the eighteenth and the beginning of the nineteenth century, for example, various

cantonal governments of Switzerland forbade emigration entirely. At a later time, the increase of population, combined with the enormous pressure of military taxation, created a desire to emigrate on the part of many citizens of the more populous countries. Although with the people it has been the desire to escape from hard economic conditions and from military service which has led them to seek new homes in the colonies of their own country or in the United States, the object of the governments has been a different one. The governments, like the people, have realized the advantages of a certain amount of emigration; but they have desired to limit it to such members of the community as were undesirable at home, and to keep the young and stalwart citizens within the country for reasons which are chiefly military.[11] With this object in view, although emigration is nowhere totally prohibited at the present time, European governments have placed much red tape and many regulations in the way of intending emigrants. Thus, in Italy, able-bodied young men must have served in the army before emigration is possible. The practical result is that more Italians than Frenchmen emigrate from France. For some time Austria took very stringent measures to prevent emigration, with the result that, whenever collusion with the police was not feasible, men walked a hundred miles by devious and obscure routes and byways to escape the gendarmes. In some cases, as the result of representations made by the United States, these governments have undertaken to prevent the emi-

[11] See report of Consul-General Jüssen as to Austrian emigration (1886); *Special Consular Report on European Emigration* by F. L. Dingley, p. 248 *et passim*, (1890); *Special Consular Reports*, vol. 30 (1904); J. D. Whelpley, *The Problem of the Immigrant.*

gration of convicts and other undesirable persons; but, as a practical matter, those who are undesirable find much less difficulty in escaping and finding passage to this country.

In general, too, it may be said that foreign nations have been only too glad to get rid of the economic burden of their dependent and delinquent citizens. During the nineteenth century there were many instances where governments, especially municipal and local governments, adopted the plan of shipping paupers, insane, and diseased persons to the United States. As the average cost of supporting dependents and delinquents in the United States is not far from $150 per capita a year, and as the cost of transporting such a person from Europe to the United States would in most cases not exceed $50, the gain to the home country adopting a policy of exporting their undesirable citizens is obvious. During the latter half of the last century the Swiss governments were especial offenders in this respect.[12] The same was true of Great Britain and Ireland. The British Local Government Board has had the right since 1834 to use money raised by taxes to assist poor persons and paupers to emigrate, and their report for 1886 shows that, in the preceding thirty-five years, over 40,000 persons had been sent out of the country, and three-quarters of a million of dollars expended in that way. The poor law guardians in Ireland were enabled in 1849 to borrow money to assist emigration, then thought to be a solution for the conditions resulting from the famine. The Land Act of 1881 authorized loans of $1,000,000 to assist emigration, and the Acts of 1882 and 1883 authorized $1,000,000 more. In 1884 and 1885, over 16,000 persons were sent from Galway and Mayo counties in Ireland

[12] Mayo-Smith, p. 170.

by the government, which also assisted the Tuke Committee, a private philanthropic enterprise, in the emigration of half as many more.

The United States government protested from time to time against this action,[13] and, when the protests were ignored, resorted to legislation, excluding certain classes of aliens. Thus the Act of 1875 forbade the landing of persons who were undergoing a sentence for conviction in their own country for felonious crimes other than political, or whose sentence had been remitted on condition of their emigration. The Act of 1882 excluded persons unable to take care of themselves without becoming public charges; and since 1891, assisted immigrants have been especially mentioned in the law in addition to the other classes to which many of those previously assisted belonged. Thus, in addition to idiots, insane persons, epileptics, persons likely to become a public charge, professional beggars and convicts, the present law excludes "any person whose ticket or passage is paid for with the money of another, or is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes; but this section shall not be held to prevent persons living in the United States from sending for a relative or friend who is not of the foregoing excluded classes."

In spite of these provisions, however, large numbers of dependents and delinquents are undoubtedly even now assisted, both by public and private agencies, to come to the United States. It is said, for example, that

[13] *Foreign Relations with the United States*, 1879-1889, Correspondence with Mr. Fish, *chargé des affaires* at Berne; *Correspondence Relating to the Right of the United States of Deporting Aliens and State-Assisted Emigrants*, London, 1887.

though the British government itself has discontinued giving wholesale aid to criminals and paupers, the local authorities still endeavor to pass them along from their respective jurisdictions, and that many finally emigrate to the United States, especially through Canada.[14]

The number of persons assisted to emigrate by societies and associations is doubtless far larger than that assisted by general or local governments. Mention of some of these societies has already been made. The Baron Hirsch Fund, the Jewish Board of Guardians, the Self-Help Emigration Society of London, the Prisoners' Aid Society, the Munich Society for Assisting Discharged Convicts, are merely examples of numerous agencies which have been at work for longer or shorter periods in this direction.

But, after all, the great proportion of assisted immigrants are helped by relatives or friends in this country.

[14] The *Twenty-seventh Annual Report of the New York State Board of Charities* (1894), p. xx, says:

"During the ten years from 1883 to 1893, the expenditures have doubled, showing a ratio of increase nearly four times greater than that of the State's population. Such a disparity excites apprehension that the attractiveness and scope of our systems of relief may draw inmates from abroad, a possibility that may be considered in connection with the statement that 60 to 70 per cent. of foreign-born persons is not an unusual estimate of residents in them."

Again, on p. lxv, in speaking of alien paupers sent back to Europe during the year, it is said:

"The examinations showed that they were intentionally deported from their several homes in Europe and their passage paid to this country by the following agencies, *viz*: By cities and towns 5; by various charitable and benevolent associations and societies and immigration agencies 47; by relatives, guardians and friends 46; by contractors under agreement to labor 30; total 128." Cp. "European Emigration" by F. L. Dingley, in *Special Consular Reports*, (1890).

The amount of money sent abroad for this purpose is enormous;[15] and the steamship companies have been quick to recognize this factor in promoting their business. The result is, that there is a large number of agents in all parts of this country, engaged in stimulating emigration. In the case of the German lines, nearly every German settlement in the United States has steamship agents, who are often the editors of German newspapers and leading members of German societies. Similar conditions exist in respect to the other lines. Mayo-Smith states that in 1890 the Inman Line had 3400, and the Anchor Line 2500 such agents; and that the number of prepaid passages ranged from 10 to 50 per cent. As an agent makes a commission of about three dollars on each prepaid ticket sold, the inducement to develop this branch of the business, through the employment of boarding-house keepers, liquor dealers and others in touch with the people, as agents and sub-agents, is apparent. Agents in America, however, often have relations with correspondents abroad, and undertake to care for immigrants upon their arrival and to find work for them, thereby nullifying to a large extent the provisions of the contract labor law. Some agents in Europe have made a specialty of shipping immigrants unfit to pass inspection at American ports to Canada, and later smuggling them across the border. Those who are interested in this method of evading the law will find the details in the report of Inspector Marcus Braun, in the Commissioner-General's Reports for 1903 and 1904.[16]

[15] See *infra*, chapter iv., A. The Dingley Consular Report says: "The enormous sums of money which the United States is sending annually to Europe by 'prepaids' are the basis of the prosperity of great fleets of foreign steamships."

[16] See also *infra*, chapter xi., E, and *House Reports*, 50th Cong., 2d Sess., No. 3792 (Report of Ford Committee).

It is apparent, too, that, in the case of the unfit, assistance in the form of coaching to pass the inspection, and information as to easy routes to enter the country, may be of as much value to the immigrant and detriment to the United States as assistance in money, against which the act is specifically directed. But in many instances both kinds of assistance are used, and fraud is the means of making the prepaid ticket available.

G. OTHER CAUSES

There are many other factors in the fluctuation of immigration, such as war, epidemics with the resulting quarantine, and the development or extinction of particular industries requiring a special kind of labor. The development of fruit-growing in California, for example, has led to the immigration of many Italians into that State.

One of the most important causes, however, and one very little noticed, is the protective tariff.[17] The tariff has the effect not only of developing certain industries in this country, but of shutting out foreign goods from our market in these industries. It creates, therefore, a demand for certain kinds of labor, and at the same time it destroys the demand for certain sorts of foreign goods. The moment you make the tariff high enough, especially if the labor in protected industries is well organized, and the rate of wages high, the goods will be shut out and the producers of the goods will come in.

Mention may also be made of the influence of new machinery upon immigration. In the earlier days of the country many hands were needed for the building of

[17] Cp. J. R. Commons, in *Chautauquan*, vol. 39, p. 20, (March, 1904); Mayo-Smith, p. 128.

railways, the digging of canals and sewers, the construction of public works and the running of mills and factories. To-day, the steam shovel and excavator, the concrete mixing machine, and the construction railway accomplish with a few men more than could be done with thousands fifty years ago. Electrical coal-cutting machinery is producing the same result in the mines. Modern appliances have reduced the number of operatives in cotton and woolen mills to one-third of those formerly employed, and the writer is informed that, in the near future, less than one-tenth of the former number of employees will be needed for the same amount of work. Machinery has chiefly diminished the need for skilled labor. A relatively unskilled person can tend machines to-day which do the work formerly done by several skilled operatives.

This brings us to still another factor in the volume of immigration, at least of the higher class. It has been noted that where there is an over-supply of skilled labor in a period of depression, it tends to fall into the unskilled class. If there is also an excess of the unskilled, the position of the higher artisan is hard indeed. Even within the skilled class, the single man, and the man with a low standard of living, tends to supplant the married man and the one with the higher standard of living. Whenever there is a large immigration to the United States of unskilled labor, skilled labor hesitates to enter into a possible competition with it, and the result is that foreign skilled labor either stays at home or emigrates to some other country. The falling off of skilled immigration from northwestern Europe in recent years is undoubtedly due to this cause. Skilled British labor, for example, prefers to go to Canada, Australia, or South Africa, where the higher steerage rate and the longer

voyage protect it against the competition of the kinds of workingmen we have recently received in large numbers. The same is true of the diversion of German emigration to South America. A corollary from this principle is that freedom of immigration does not necessarily increase the volume, though it may change the quality, and, conversely, a careful selection of immigration may stimulate the emigration of the selected classes.

Another element, which has undoubtedly had a potent effect in promoting immigration in recent years, especially from Italy and other countries of southern Europe, has been the fear of restrictive legislation, and the desire to get in before its enactment.[18] This probably accounts in part for the increase in the immigration of 1896 as compared with 1895, for the agitation for an illiteracy test reached a climax in the former year, and, except for a presidential veto, the bill would have been law. The same cause was undoubtedly at work in 1903-4; for the report of the Italian Commissioner-General of Emigration for that year contemplated the enactment of such a law and recommended further public education in order to forestall it.[19]

Other agencies of less importance in promoting immigration are the advertisements in Europe of American railway companies and boards of agriculture of American States, and the missionary efforts of the Mormon Church.[20]

[18] *Report of the Industrial Commission,* vol. 15, pp. 167-169.

[19] Report of Vice Consul Byington at Naples to Dept. of Commerce.

[20] *Special Consular Reports,* vol. 30, p. 67.

CHAPTER III

RACIAL CONDITIONS OF IMMIGRATION[1]

A. HISTORY OF CHANGES IN RACIAL CONDITIONS

It would be hard to determine whether the volume of immigration or its racial composition is the more important element in the progress of our population. Each is of great weight, and when combined, as in the advent of large masses of a particular race, they cannot fail to leave a permanent and visible mark upon our people, if, indeed, they do not result in a radical modification of our instincts and a total reconstruction of our institutions.

The first considerable addition to our population after the adoption of the Constitution, as has already been shown, was due to the hard times in Ireland and to political agitation in the German States, causes which resulted in a very large emigration from those countries in the years from 1841 to 1860. In the decade 1841 to 1850 nearly one-half of the total immigration was Irish and one-quarter was German. Of the total immigration in the following decade, one-third was likewise Irish and more than one-third was German.

However much social prejudice there may have been

[1] See John R. Commons, "Colonial Race Elements," in *Chautauquan,* vol. 38, pp. 118-125 (Oct. 1903); "Immigration During the Nineteenth Century," *ibid.,* pp. 433-443 (Jan. 1904); *Report of the Industrial Commission,* vol. 15, pp. 259-277; vol. 19, pp. 958-962.

against the Irish and German immigrants of the forties and fifties, and although even that immigration tended to diminish the native stock, it remains true that, before 1870, immigration was chiefly of races kindred in habits, institutions and traditions to the original colonists.[2] Upon this point Mr. Lodge said, in addressing the Senate March 16, 1896:

"It will be observed that, with the exception of the Huguenot French, who formed but a small percentage of the total population, the people of the thirteen colonies were all of the same original race stocks. The Dutch, the Swedes, and the Germans, were simply blended with the English-speaking people, who like them were descended from the Germanic tribes whom Cæsar fought and Tacitus described. During the present century, down to 1875, there have been three large migrations to this country in addition to the always steady stream from Great Britain; one came from Ireland about the middle of the century, and somewhat later one from Germany, and one from Scandinavia, in which is included Sweden, Denmark and Norway. The Irish, although of a different race stock originally, have been closely associated with the English-speaking people for nearly a thousand years. They speak the same language, and during that long period the two races have lived side by side and to some extent have intermarried. The Germans and the Scandinavians are again people of the same race stock as the English who built up the colonies. During this century then, down to 1875, as in the two which preceded it, there had been scarcely any immigration to this country except from kindred or allied races, and no other which was sufficiently numerous to have produced any effect on the national characteristics, or to be taken into account here."

Thus if a line were drawn from north to south across

[2] Cf. *Report of the Industrial Commission*, vol. 15, pp. 268-275; vol. 19, pp. 958-962.

Europe it would be found that the countries of western Europe, that is to say Great Britain, Ireland, France, Germany and Scandinavia, furnished more than three-fourths of the total immigration from all countries before 1880. Eastern Europe, including Austria-Hungary, Italy, Poland, and Russia, furnished less than one per cent.

How marked the change in nationality has been, is shown by the fact that in 1869 not one per cent. of the total immigration came from Austria-Hungary, Italy, Poland and Russia; in 1902 the percentage was over 70. On the other hand, in 1869 nearly three-quarters of the total immigration came from the United Kingdom, France, Germany and Scandinavia.[3] In 1902 only one-fifth was from those countries. Or, to put it in another way; in 1869 the immigrants from Austria-Hungary, Italy, Poland and Russia were about one-hundredth of the number from the United Kingdom, France, Germany and Scandinavia; in 1880, about one-tenth; in 1894 nearly equal to it; in 1902 three and one-half times as great. In 1903, the largest element in immigration was the South Italian, with 196,117 souls, and the next largest was the Polish, with 82,343. Considering the immigration of 1904 by the great racial divisions we have the following result, in striking contrast to the days when immigration was almost entirely Teutonic and Keltic:

[3] See Kendric C. Babcock, "The Scandinavians in the Northwest," in *Forum*, vol. 14, pp. 103-109 (Sept. 1892).

IMMIGRATION BY RACIAL DIVISIONS, 1904

	Number	Per cent. of Total Immigration
Slavic	272,396	33.5
Teutonic	195,287	24.0
Iberic	186,607	22.9
Keltic	98,635	12.1
Mongolic	20,616	2.5
All others	39,329	4.8

Another way of looking at the subject is by comparing the total immigration of certain nationalities for the period 1821 to 1902 with that for the year 1903.[4]

Country	1821 to 1902 Number	1821 to 1902 Per cent.	1903 Number	1903 Per cent.
Austria-Hungary	1,316,914	6.5	206,011	24.0
England, Wales	2,739,937	13.4	26,219	3.0
Germany	5,098,005	24.9	40,086	4.7
Ireland	3,944,269	19.3	35,300	4.1
Italy	1,358,597	6.7	230,622	26.9
Norway, Sweden	1,334,931	6.6	70,489	8.2
Russia, Poland	1,106,362	5.4	136,093	15.9
British N. America	1,050,682	5.1		

The foregoing table shows not only the nations which have added chiefly to our population in the past, and which are adding to-day, but how the percentage of each has varied in the period before 1903 compared with 1903. If the same proportions had obtained in the earlier period as during the later how different might our country and its institutions now be!

Further light on racial conditions is furnished (1) by a comparison of the number of the foreign-born in this country at the time of the last two censuses, and (2) their relative increase during the decade. The facts are shown in the following tables:

[4] Bureau of Statistics, *Special Consular Reports*, vol. 30, p. viii (1904).

(1) FOREIGN-BORN IN THE UNITED STATES, 1890 AND 1900, BY BIRTHPLACES.[5]

	1890		1900	
	Number	Per cent.	Number	Per cent.
North and South America	1,088,245	11.76	1,318,913	12.73
Great Britain and Ireland	3,122,911	33.76	2,788,304	26.92
Germany	2,784,894	30.11	2,666,990	25.75
Scandinavian nations	933,249	10.09	1,064,309	10.28
Slav nations	510,625	5.52	1,173,210	11.33
Italy	182,580	1.98	484,207	4.67
Asiatic nations	113,383	1.23	120,862	1.17
All others	513,660	5.55	739,849	7.15
TOTAL	9,249,547	100.00	10,356,644	100.00

(2) INCREASE OF THE FOREIGN-BORN, BY BIRTHPLACES, 1890 TO 1900.

	Number	Per cent. of number found in 1890	Per cent. of aggregate increase of foreign-born
North and South America	230,668	21.2	20.8
Great Britain and Ireland	*334,607	*10.7	*30.2
Germany	*117,904	* 4.2	*10.6
Scandinavian nations	131,060	14.0	11.8
Slav nations	662,585	129.8	59.8
Italy	301,627	165.2	27.2
Asiatic nations	7,479	6.6	0.7
All others	226,189	44.0	20.4
Total increase, excluding United Kingdom and Germany	1,559,608		
Decrease, United Kingdom and Germany	452,511		
Net increase	1,107,097		

*Decrease.

[5] So far as a classification of nationalities has been attempted, that of the census of 1890 has been followed. The Scandinavian nations include Norway, Sweden, and Denmark; the Slav nations, Russia, Hungary, Bohemia, Poland, and Finland. Natives of Finland are returned separately in the census of 1900, but seem to have been included among natives of Russia in that of 1890.

It will be noted that the natives of Slavic countries increased 130 per cent., those of Italy 165 per cent., and those of Scandinavian countries 14 per cent. On the other hand, the natives of Germany diminished 4 per cent., and those of the United Kingdom over 10 per cent. The increase of Italians amounted to more than a quarter of the aggregate increase of the foreign-born, and the increase of natives of Slavic countries amounted to 60 per cent. of the aggregate. Meantime there was a decrease of natives of Germany to the extent of 10 per cent., and a decrease of natives of the United Kingdom to the extent of 30 per cent.

B. CHARACTERISTICS OF THE VARIOUS RACES

The limits of the present volume forbid anything more than a cursory survey of the chief characteristics of the most important races forming our immigration. Immigrants of the same race come to us from such different surroundings, and under such varying conditions that the task of generalization is often difficult; and for details the reader must consult special studies made in the homes of the various nationalities in this country.[8]

Armenians. The Armenians, who are rather recent arrivals, began to come both because of Turkish persecution and of new steamship communication with the Levant. Missionaries and sympathizers in the United

[8] See generally W. Evans-Gordon, *The Alien Immigrant; Report of Massachusetts Bureau of Labor Statistics, 1903,* pp. 1-130, "Race in Industry"; F. A. Bushee, "Ethnic Factors in the Population of Boston," in *Publications of the American Economic Associations,* Third Series, vol. 4, No. 2 (May, 1903); Peter Roberts, *Anthracite Coal Communities; Report of the Industrial Commission,* vol. 15 (see index); Dr. Allan McLaughlin, in *Popular Science Monthly,* vol. 63, p. 25 (May, 1903);

States have also done much to encourage their immigration. The total number arriving in 1904 was 1745, most of whom were destined to Massachusetts, Rhode Island and New York. A considerable part were shoemakers, tailors, bakers and weavers, and the balance chiefly laborers and servants. They showed about twenty-three dollars per capita, but only one-tenth brought fifty dollars or more. Of those over fourteen years of age, 21.9 per cent. were illiterate.

Some of the Armenian merchants are fairly intelligent and are not undesirable immigrants. On the other hand, many of the lower class are extremely objectionable. Their standards of living and of morals are low, and they tend to form small colonies in manufacturing centres. Some take up the occupations of cigarette making and peddling. On the whole they are not desirable immigrants.

Canadians. Immigration from Canada consists of two very different classes: the British element, composed of immigrants from England, Scotland, and Ireland, and their descendants; and the French element. No reliable statistics are at hand as to the numbers or conditions of either class. The British Canadians are in many respects similar to native Americans, but they have fewer defectives and fewer criminals in serious crimes. Their skill is not as great as that of the English and Scotch, and the perpetual migration which goes on back and

vol. 65, pp. 341-349 (Aug. 1904); vol. 65, pp. 432-442 (Sept. 1904); *Special Consular Reports,* vol. 30 (1904); John R. Commons, "Racial Composition of the American People," in *Chautauquan,* vols. 38 and 39 (Sept. 1903 to May, 1904); A. H. Hyde, "The Foreign Element in American Civilization," in *Forum,* vol. 52, pp. 387-399 (Jan. 1898); *Seventh Special Report of the United States Commissioner of Labor,* (1894); W. Z. Ripley, *Races of Europe.*

forth from Canada tends to make them less reliable and steady in their work. The French Canadian element is entirely different both from the British Canadian and from the modern French. The general intelligence of these people is much less than of the British Canadians and they perform a lower grade both of skilled and unskilled labor. The birth rate is very high among them; they seem likely to increase as fast as or faster than any other element of our population. Their standard of living is very low, and, as they often regard their stay in the United States as temporary, they do not attempt to improve it. On account of their willingness to underbid other labor they are very unpopular in New England, the section in which they are chiefly employed. Whole families work in the mills and other manufacturing establishments. In the absence of factory legislation, the tendency of the race is to work its young children and to labor very long hours. Many of the French Canadians are also employed in lumbering, not only in New England but in Michigan and the other border States; and, on the whole, they make excellent laborers in this industry. They do not, however, by any means take the place in the social life of the community of those whom they drive out. They fail to educate their children and they lower the average of intelligence and morality.

English. In 1904 we received from England 41,479 immigrants. Of the professional division, the largest classes were actors and engineers. Among the skilled division, clerks, sailors, engineers and miners predominated, and by far the largest of any of the classes was that of domestic servants. The average money shown was sixty-five dollars per capita; the illiteracy of those over fourteen years of age was 1.3 per cent. The immi-

grants were destined chiefly for New York, Massachusetts, Pennsylvania and California, the balance being well distributed among the other States.

English immigrants come from two very different classes. The better is well educated, brings considerable money, and makes a valuable addition to our population. Many of this class are skilled workingmen or professional and commercial men. On the other hand, there is much immigration of the lowest class, including numerous defectives and delinquents who find it to their advantage to leave their native towns. Dr. Bushee remarks that the English are perhaps the least readily assimilated of any of the English-speaking nationalities, because though they mix readily with the native population they hold tenaciously to their national characteristics.[9] Emigration from England has fallen off in recent years; partly on account of trade conditions, and partly because the stream is going elsewhere. Except where immigrants have friends or relatives in the United States they are likely to go to Canada, both because the advantages of that country are being continually advertised and because of the Imperialistic sentiment. Nevertheless in certain sections of England, such as Cornwall, the decline of the native industries is driving many persons to the United States. The English workingman, as a rule, has not as high a standard of sobriety or economy as the American, but he tends in a short time to conform to the latter's standard. Owing to the greater cheapness and ease of transportation it is said that the class of inferior immigrants tends to increase.

Finns. Finnish immigration, owing to economic and

[9] "Ethnic Factors in the Population of Boston," in *Publications of the American Economic Association*, Third Series, vol. 4, No. 2, p. 153 (May, 1903).

political troubles at home, has increased during the last two years. In 1904, it amounted to 10,157 souls. The principal destinations of these immigrants were Michigan, New York and Massachusetts. They were practically all unskilled, though there was a sprinkling of artisans among them. They showed about twenty dollars per capita, and the illiteracy of those over fourteen years of age was 2.7 per cent.

Most of the Finns go to the country districts and especially to the Northwest. Colonies, however, are forming to some extent in the smaller cities where quarrying and similar kinds of labor are engaged in. The farm laborers are generally intelligent and well-trained, and find employment easily, especially as they seldom leave home without having friends here to help them to find work. They are Protestant in religion.

Immigration from Finland may be said to be in a normal condition as contrasted with the countries where the solicitation of the steamship companies has gathered all sorts of natives for transportation to the United States.

French.[10] Immigration from France, which has never been very large, reached a low point in 1899. Since then, owing to the difficulty of obtaining work in Europe, it has risen again to its normal size. The total in 1904 was 11,557 immigrants, whose destinations were very generally distributed. Next to New York and Pennsylvania, California appeared to be the favorite State. Among them were a considerable number of clergymen, artists, engineers and teachers, also of dressmakers, miners and servants. They showed an average of about seventy dollars per capita, and more than one-half of those who brought money exhibited over fifty dollars.

[10] See *Special Consular Reports*, vol. 30, pp. 20-36.

The illiteracy of those over fourteen years of age was 3.2 per cent.

The French immigrants are noted for their intelligence, education and thrift, and are in every way desirable additions to the population. The French government has been making great efforts to divert emigration to the colonies, especially to Algeria and Tunis. The peasantry has come to the United States chiefly by way of Canada. The present French emigrants, like the early Huguenot settlers, are chiefly of the middle and upper classes.

Germans.[11] Germans settled in Pennsylvania as early as 1682, in what is now called Germantown, and from that time to the present the stream of German immigration has been constant. In 1904 the total was 74,790 persons, the third largest element in the whole immigration of that year. The principal destinations were New York, Pennsylvania, Ohio, Missouri, Wisconsin and New Jersey. Of the professional division, the principal classes were teachers, musicians and engineers. Among skilled laborers, bakers, clerks, carpenters, miners and tailors were the most numerous. The largest class of German emigrants in 1902, as regards occupation, was that engaged in farming and forestry; the next largest was engaged in mechanical and building trades, with domestic service, commerce, and insurance next in order.[12] The average money shown in 1904 was forty-eight dollars; the illiteracy of immigrants over fourteen years of age was 4.8 per cent.

The German immigrants are thrifty and industrious. Besides helping to settle Pennsylvania and the Middle

[11] *Report of the Industrial Commission*, vol. 15, pp. 326-461; E. A. Steiner, in *Outlook*, vol. 73, pp. 260-264 (Jan. 31, 1903).

[12] *Special Consular Reports*, vol. 30, p. 39 (1904).

States, they have taken the lead in establishing numerous industries. Curiously enough, although the Germans were the first prohibitionists in this country, the modern Germans have largely developed the brewing industry. They have tended to congregate largely in certain sections—sixty per cent. of the population of Milwaukee is German. They have a strong love of their native country, and keep alive their native language and habits by political, musical, and social organizations. Many magazines and newspapers are published in German, but, as a rule, the traditions of the German intellectual life have not been maintained.

In general, the Germans are of good physique and encourage athletic sports and physical training among their children. They are, also, good-natured and given to enjoying life. Perhaps their chief danger in this country is from the money-making spirit, and their success in all mechanical pursuits makes this materialism especially attractive to them. The proverbial neatness of German homes is a pleasant contrast to those of some other nationalities. A few of the poorer Germans drift from the country districts to the large cities, where they take up rag picking and similar occupations. From their very thrift, they frequent the dirtiest and most objectionable parts of the city slums, or else contribute to the " shanty " or squatter population found, for example, in the outlying districts of New York.[13]

German immigrants bring with them a fair amount of money, and, more important, they come with the intention of settling permanently in the country. As a rule they are much freer from intemperance than the British; and, indeed, the defective and delinquent classes among them are exceedingly small. In spite of the love for their

[13] *Report of the Industrial Commission,* vol. 15, p. 461.

native language and customs, they assimilate rapidly, as is shown by their tendency to intermarry with other races, and to enter politics. The German vote in New York City already tends to supplant the Irish, and most of the German voters are intelligent and patriotic. The physical vigor and personal cleanliness for which the male immigrants are noted may be attributed in part to the military service which they are commonly obliged to perform before emigrating. A considerable proportion of the female immigrants go into domestic service.

Greeks. Greek immigration, like other immigration from the Levant, has recently increased. In 1904 it amounted to 12,625 persons. Most of these were going to New York, Illinois, Massachusetts and Pennsylvania. The proportion of professional persons was surprisingly small. Among the skilled, the principal classes were machinists, blacksmiths, bakers, shoemakers, tailors and clerks; but by far the greater part were unskilled laborers. The per capita money shown was about eighteen dollars, and the illiteracy of those over fourteen years was 23.6 per cent.

Many of the Greeks, especially the boys and young men, come under contract to work for padroni in the peddling and boot-blacking trades. They are usually well coached and in that way evade the contract labor acts. Owing to the fact that they emigrate practically under contract they tend to congregate in certain large cities and to live in very unhealthy surroundings. The percentage of trachoma and other contagious diseases among them is high; many also are of poor physique. During the year 1903, one Greek out of every thirty landed was sent back as liable to become a public charge. Not a few of the immigrants are from rural districts and were, in their own country, agriculturists and shep-

herds. They are very patriotic, and, in most cases, come to this country with the intention of returning; for that reason the immigrants are chiefly men, who leave their women behind to care for the farms and flocks until their return.

Hebrews.[14] It is estimated that there are approximately 12,000,000 Jews in the world. Of these Europe contains 10,000,000 and the United States upwards of 1,100,000. Of those in Europe, Russia has 5,000,000; Austria-Hungary, nearly 2,000,000; Germany, 550,000; Great Britain, 200,000; Turkey and the Balkan States 500,000. More than one-half of the 1,100,000 Jews in the United States live within the confines of Greater New York.

In 1904, of the 106,236 Hebrews coming to this country, 77,500 were Russian, 20,000 Austro-Hungarian, 6500 Roumanian, 817 British, and 669 German. By far the greater portion were destined for New York, Massachusetts, Illinois, Pennsylvania and New Jersey. Among the professional classes the most numerous were musicians and teachers, though only about one per cent. of the total immigration was engaged in professional occupations. Of the skilled classes, the most numerous were tailors, bakers, carpenters, clerks, locksmiths and

[14] W. Evans-Gordon's *The Alien Immigrant*, gives the personal observations of a member of the Royal Commission on Alien Immigration in the Jewish settlements in Russia, Austria and other European countries; *Report of the Industrial Commission*, vol. 15, pp. 348, 369, 465-492, 510, 517; Dr. Allan McLaughlin, in *Popular Science Monthly*, vol. 65, pp. 432-438 (Sept. 1904); K. H. Claghorn, in *Annals of the American Academy of Political and Social Science*, vol. 24, pp. 196 ff. (July, 1904); Roger Mitchell, in *Popular Science Monthly*, vol. 52, pp. 334-343 (Feb. 1903); Dr. Richard Gottheil, in *World's Work*, pp. 3689-3693 (July, 1903).

painters. There was a total of 45,109 skilled as against 21,799 "miscellaneous," *i.e.,* laborers, servants and the like. Notwithstanding that some Hebrews bring comparatively large sums, the average money shown was extremely small—only fifteen dollars per capita. The illiteracy of those over fourteen years of age was 23.3 per cent. The fact that practically no German Jews are now coming to us seems due to the greater civil liberty which they enjoy as compared with their co-religionists in other countries. Although the Jews were originally an agricultural people, on reaching America the vast majority settle in large cities,—where previous immigrants of their race are already located,—and take up small manufacturing under the sweat-shop system.

The poor physique of Hebrew immigrants bars them from farming and other pursuits involving hard manual labor. They therefore take up tailoring, harness-making and the like, and have, till recently, practically controlled the clothing trade in New York City. Owing to the great congestion in the East Side of New York many of the Hebrews are unable to succeed in the struggle for economic independence. Forty-five per cent. of the applicants for relief at the Hebrew Charities in 1901 had been in the country five years, and forty per cent. less than one year. The manager of the United Hebrew Charities also states [15] that during that year from 75,000 to 100,000 members of the New York Jewish community were unable to supply themselves with the necessaries of life. It will be noticed that the latter number is about one-eleventh of all the Hebrews in the United States.

It is said that whenever the Jew gets away from the Ghetto he succeeds, and great efforts are being made

[15] *Twenty-seventh Annual Report of the United Hebrew Charities,* (1901).

to distribute the recent immigration to agricultural regions.[16] How far such attempts will be successful on a scale large enough to do any good remains to be seen. The passage of the British Aliens Bill is likely to result in our receiving a still worse class of Jewish immigrants, described by Arnold White as "incurable paupers." The Jews we have received hitherto have been, in general, industrious, of good mental ability, but liable to disease, especially tuberculosis, in the crowded life of our city slums. The longevity of the race and its freedom from acute disease, apart from this factor of city life, has often been noted; so, also, is the freedom of the race from drunkenness and crimes of violence. The Jews have a keen personal ambition, and such lawbreaking as they do is usually in the breach of sanitary regulations or in trying to gain some monetary advantage by craft and deceit. Although the history of many of these immigrants in Europe is something for which they are not responsible, it does not augur well for their future as American citizens. This is shown by the fact that the authorities of the Jewish settlements in South America cause their recruits to be "filtered" several times before accepting them.[17] The physical degeneration of the Jew in New York and Philadelphia has been accompanied to some extent by a moral and political degeneration. The report of the United Hebrew Charities above referred to states that "the vice and crime, the irreligiousness, lack of self-restraint, indifference to social conventions, indulgence in the most degraded and perverted appetites are growing daily more pronounced and more offensive."

[16] *Report of the Industrial Commission*, vol. 15, pp. 510-517; *Report of the Industrial Removal Office, 1904.*

[17] W. Evans-Gordon, in *World's Work*, p. 3281 (April, 1903).

Of course, this is not true of such Hebrews as have obtained a foothold and have achieved economic independence. The latter are generous, and do their best to help their co-religionists, although there is some friction between the German and the Russian Jews.[18] As the Hebrew death rate is low, and the birth rate high, the race is likely to multiply. The family as an institution has a strong hold upon them, and their desire for race and religious purity tends to keep them from intermarriage with other races, so that assimilation is often a mingling rather than a fusion.

Irish.[19] Immigration from Ireland, like that from other parts of the United Kingdom, has shown a great falling off in recent years—the arrivals formerly ranging from 50,000 to 70,000 a year. From 1821 to 1902 Ireland sent us almost four million immigrants, a number surpassed only by Germany. There were, moreover, in 1900, nearly five million persons in the United States having one or both parents Irish, or about half a million more than the population of Ireland itself in 1901. With some truth, therefore, it may be said that the Irish race has been literally transplanted to the United States.

In 1904, the total Irish immigration amounted to 37,076, and of these 20,469 were females.[20] The principal destinations of the immigrants were New York, Massachusetts, Pennsylvania, Illinois and Connecticut. The great majority were unskilled laborers and servants. The average money shown was twenty-nine dollars, and the

[18] Ezra S. Brudno, in *World's Work,* pp. 4556-7 (March, 1904).

[19] F. A. Bushee, "Ethnic Factors in the Population of Boston," in *Publications of the American Economic Association,* Third Series, vol. 4, No. 2, pp. 149-152 (May, 1903).

[20] Ireland is the only country from which female emigrants outnumber the males.

illiteracy of those over fourteen years of age was 3.4 per cent. As in the case of the Germans, the Scandinavians and the Canadians, many of the women enter domestic service.

The Irish, like several other nationalities among our immigrants, present the spectacle of an agricultural and rural people suddenly transferred to city life. As a whole they have been essentially mediocre, for although many have attained to positions of moderate dignity and importance—especially in politics, for which this race has a genius—few have secured pre-eminence in professional, scientific or social pursuits. So, although many have interested themselves in athletic matters, as a race they have no great physical vitality, and their death rate is very high. The number of defectives among them is large, and their record for drunkenness and pauperism is bad.

The race is conventional in temper rather than individualistic, and readily enters into existing institutions. Especially fond of political life, it attempts to influence other races politically, and to that extent encourages assimilation. It is also noted for its cheerful temperament, and genial, easy-going disposition, which, though it often leads to intemperance, adds to the pleasure of a community. The monopoly which the earlier Irish immigrants had of the heavier forms of manual labor is giving way before the inroads of Italians and French Canadians, and the Irish themselves are beginning to feel social aspirations and to limit their birth-rate in order to secure social advantages. Of the various nationalities the Irish show the smallest rate of natural increase,[21]

[21] F. A. Bushee, "Ethnic Factors in the Population of Boston," in *Publications of the American Economic Association,* Third Series, vol. 4, No. 2, p. 51.

and to some extent they may be supplanted by more fertile races.

Italians.[22] From 1821 to 1903 Italian immigration to the United States amounted to nearly 1,600,000 persons; and in 1903 was about 27 per cent. of the total immigration of that year. The term "Italian" is, in a sense, very misleading, for the nation is composed of many races of different origins. In general, however, there is a broad distinction between the Keltic elements inhabiting northern Italy, and the Iberic elements living in the southern part. Under the classification adopted by the Immigration Bureau, "Northern Italy," includes Tuscany, Emilia, Liguria, Venice and Lombardy; and "Southern Italy" the other States. The northern Italians come of much better stock, and are more enterprising, thrifty and intelligent than their southern fellow-countrymen.

The comparative characteristics of the two groups in the immigration of 1904 are shown by the following table:

	Northern Italian	Southern Italian
Total immigration.....	36,699	159,329
Average money shown in dollars.	28	13
Per cent. of illiteracy of those over 14 years.....	12.6	54.2

The Southern Italians have constituted the largest single element in the immigration of recent years; and,

[22] *Special Consular Reports*, vol. 30, pp. 78-97 (1904); *Report of the Industrial Commission*, vol. 15, pp. 474, 475, 499-506; Dr. Allan McLaughlin, in *Popular Science Monthly*, vol. 65, pp. 341-349 (Aug. 1904); K. H. Claghorn, in *Annals of the American Academy of Political and Social Science*, vol. 24, pp. 185-206 (July, 1904); "The Italians in Chicago," *Special Report of the United States Commissioner of Labor*; Eliot Lord, John J. D. Trenor, and Samuel J. Barrows, *The Italian in America* (1905).

while immigration from northern Italy has diminished, they have rapidly increased. In 1904 about 22 per cent. of the immigrants from each division were females. The principal skilled occupations were those of carpenters, sailors, masons, miners and tailors, but less than one-fifth of either group was professional or skilled.

The bulk of the northern Italians also were destined to a much larger number of States than the southern. Thus the former were, for the most part, bound to California, Connecticut, Illinois, Massachusetts, Missouri, New Jersey, New York, Pennsylvania and Washington. The destinations of the southern Italians were chiefly Illinois, Massachusetts, New Jersey, New York, Pennsylvania and West Virginia.

The earliest Italian immigration to the United States was of a very low class, and took up organ-grinding, rag-picking, and similar pursuits. Next came barbers, bootblacks, fruiterers and shoemakers from northern Italy. These people were, on the whole, peaceable and industrious, and improved the trades in which they engaged. They soon began to come through representations of friends, with a definite destination and purpose of work in their minds. In this respect, they differed from the southern Italians, who in most cases gave New York as their destination and were sent wherever the padroni could find work for them.

With the establishment of the direct lines from Genoa and Naples to New York and Boston, and through the solicitations of steamship agents and of the Italian padroni and bankers in this country, there has been, within the last twenty years, an enormous increase in Italian immigration, mainly from the southern provinces on the mainland and from Sicily. These newer Italians are let out by contract to work on railroads, sewers and

the like. Many go back and forth according to the state of the labor market. Their standard of living is extremely low, and, owing to their intention of returning to their own country, they are largely indifferent to their circumstances. Where an Irishman or a German demands meat, an Italian will work upon stale bread and beer, and, although his physical efficiency is not as great, he works for so much less that it is profitable to employ him.

Many Italians of the better sort are expert fruit-growers; instead of settling on the Atlantic seaboard, they have gone into the interior or to the Pacific coast, and become valuable additions to the population. Most of those who have thus bettered themselves have done so in response to demands for labor of that class, or through information furnished by friends. Attempts have also been made to distribute Italians from the poorer sections of the large cities; and, on the whole, these colonization schemes have been more successful than in the case of the Jews, a result due no doubt to the fact that Italians are better fitted for manual labor and take more kindly to agricultural pursuits.[24] The main part of the recent immigration does not incline to farming; it either works under contract or gathers in the slums of the cities. Of all the Italian settlements, those in Boston and New York are the most crowded and unsanitary.

The Italians do not readily learn English. Furthermore, they keep by themselves, and, owing to the great preponderance of single men, there is little family life. In regard to ordinary matters, they are, as a rule, law abiding. On the other hand, they are extremely hot-headed, and their quarrels result in many assaults and homicides, which give them a bad record for serious

[24] *Report of the Industrial Commission,* vol. 15, pp. 499-507.

crimes. Moreover, although not as intemperate as some other races, idleness and drunkenness are constant temptations because of the fact that many are unemployed a considerable part of the time.

The happy and cheerful dispositions of the Italians tend to make them improvident; and, in the cities at least, a larger proportion of cases demanding relief are caused by inefficiency, crime and dishonesty than is the case with the British, Germans or native Americans. Nevertheless, their standard of living is so low that few become paupers; indeed, the relief work of the Associated Charities in wards inhabited chiefly by the race has largely disappeared. As the average wages of peasants in Italy under contract is about eight to thirty-four cents a day, and never exceeds fifty cents to a dollar even in harvest time, it is easy to see how Italians in this country can send home large sums of money. It has been said that one can clearly recognize parts of Italy, from which immigration has gone to this country, by the improved appearance of the houses and yards. Because of this relief to the poorer districts there, the general sentiment in Italy is favorable to emigration, and the greater part of those leaving home come to the United States.

Upon the whole, it may be said that the Italians are a tractable and imitative people, with great capacities—either for good or for evil. But, unless they can be induced to go into the country districts, to adopt the idea of permanent settlement, and to bring over families or intermarry here, it is to be feared that the second and third generations will contribute a large number of defectives and delinquents. Like other races which have recently come to us, the Italians take little interest in political matters and do not readily assimilate in other

ways. The fact that many of them are continually moving about in response to economic demand, and that a large number are above the age when they will receive any schooling, makes assimilation more difficult.

It is asserted that there is a growing demand in the south for Italian labor to take the place of negroes, and that the Italians can endure the sun as well and turn out a much larger product. This demand is, however, for intelligent farmers and farm laborers with some money, who intend permanent settlement. It cannot be supplied by the class of totally unskilled Italians now arriving at New York in such large numbers.

Japanese.[25] Until recently immigration from Japan was insignificant. Not until 1891 did it reach a thousand persons a year; but since that date it has rapidly increased. From 1891 to 1905 inclusive there have come to us about 95,000 Japanese, the largest immigration in any one year being 14,382 in 1905. Of the 86,000 Japanese in the United States according to the census of 1900, 61,111 were in Hawaii, 10,151 in California, 5617 in Washington, and about 2500 each in Oregon and Montana. It has been stated,[26] however, that the figures of Japanese immigration given above are entirely inadequate and deceptive, and that the number of Japanese coolie laborers in California to-day is greater than the total Japanese arrivals shown by the immigration records at all ports of the United States for the past ten years. Of the 14,382 immigrants arriving in 1904 practically all were destined to Hawaii, California, Washington and Oregon, and were laborers, farm laborers, servants or

[25] See *Report of the Industrial Commission,* vol. 15, pp. 749-766; Dr. Allan McLaughlin, in *Popular Science Monthly,* vol. 66, pp. 117-121 (Dec. 1904).

[26] *Report of the Industrial Commission,* vol. 15, p. 755.

persons without occupation. They showed about forty-five dollars in money per capita; and the average illiteracy of those over fourteen years of age was 21.6 per cent., or nearly three times that of the select classes of Chinese admitted under the Exclusion Acts.

The Japanese coolies are brought over largely by "immigration companies" who contract for their labor. Indeed, many of the coolies are of a class which could not come to this country without assistance. They invariably show exactly thirty dollars at inspection, an evidence of coaching by the companies importing them. Many too come secretly across the borders from Canada and Mexico. In the opinion of some observers, they are more undesirable than the Chinese coolies who were imported in the same way before the passage of the Chinese Exclusion Acts. Wages in Japan are about one-half those in the United States, and this stimulus to emigration is aided by the pressure of population in Japan, constantly seeking for new outlets.

The hop and sugar-beet fields, the ranches, the orchards, and the vineyards on the Pacific coast are to-day filled with Japanese laborers who have driven out, in some cases, even the Chinese laborers who precede them. The wages of these coolies in the sugar-beet industry are only eighty-five to ninety cents per day, out of which they board themselves. They are said to be strong and healthy, many of them having served in the Japanese army.[27]

It is natural that such a large importation of laborers willing to work for low wages should stir up organized labor against their admission. It was to a considerable extent organized labor which secured the passage of the Chinese Exclusion Acts and has successfully pre-

[27] *Special Consular Reports*, vol. 30, p. 193.

vented their repeal or modification. From an economic standpoint the Japanese coolies are as dangerous as the Chinese, and as there are plenty to come, demands by labor organizations have been heard in the last few years that the Chinese Exclusion Acts should be applied against all Asiatics, a feeling reflected in the Democratic platform of 1900. On the other hand, there is testimony to the neatness and cleanliness of the Japanese, their desire to learn, their freedom from crime, and their desire faithfully to obey the laws,[28]—facts which must have considerable influence in their favor, especially as it is the better class of Japanese who are known in the central and eastern portions of the country.

Probably a good deal which has been said in favor of the Japanese could also be said in favor of the higher grades of the Chinese; but apart from the merits of the question it seems unlikely that this country will ever adopt the same policy with regard to the Japanese which has been followed with the Chinese. The fact that it was the United States which opened Japan to western civilization and induced the making of treaties of friendship and commerce; the admiration of the Japanese for this country as shown by the Perry monument at the entrance to Tokio Bay, the Grant monument at Nagasaki, and the recent meeting in Tokio to celebrate the signing of the first treaty with America; and last but not least, the fact that Japan has become a military power—all are likely to prevent the extension of the Exclusion Acts to the Japanese.

Magyars.[29] In 1904, Magyar immigrants numbered

[28] See resolutions of Methodist Preachers' meeting at San Francisco, March 20, 1905.

[29] Peter Roberts, *Anthracite Coal Communities;* Dr. Allan McLaughlin, in *Popular Science Monthly,* vol. 65, pp. 438-440 (Sept. 1904).

23,883. They were destined chiefly to New York, New Jersey, Ohio and Pennsylvania. With the exception of a small number of artisans, they were practically all unskilled laborers. They showed sixteen dollars per capita and the illiteracy of those over fourteen years of age was 14.1 per cent.

Most of the Magyars go into factories where the labor involves more or less skill. Less than one-third seek the mining regions. Their moral and industrial status is higher than that of the Slavic races, but they are more high-strung and nervous and less adaptable than, for example, the Slovaks. Moreover, owing to the prosperity of Hungary the best class does not emigrate, and, in common with other peoples from eastern Europe, they do not readily assimilate or adopt our citizenship. They tend, like the Italians, to become birds of passage without permanent interests in the United States.

Scandinavians.[30] Scandinavian immigration, including that from Sweden, Norway and Denmark, from 1821 to 1903 amounted to 1,609,922. It was exceeded by that from Germany, from Ireland, and from England, and it exceeded slightly that from Austria-Hungary, and from Italy.

The total immigration in 1904 was 61,029, of whom nearly one-half were females. A considerable falling off has been observable in recent years, and most of those who now come intend joining relatives or friends or entering domestic service. The principal destinations for these immigrants were, in 1904, Minnesota, New York, Wisconsin, North and South Dakota, Illinois and Michigan. Among them were many sailors, carpenters,

[30] K. C. Babcock, "The Scandinavians in the Northwest," in *Forum*, vol. 14, pp. 103-109 (Sept. 1892); *Report of the Industrial Commission*, vol. 15, p. 326, also pp. 22, 29, 41 and 54

clerks, painters and shoemakers; but the great bulk consisted of laborers and servants. The average money shown was twenty-five dollars, and the illiteracy of those over fourteen years of age was 0.7 per cent.—practically nothing.

The most important characteristics of the Scandinavians who have come in the past have been their attachment to the soil and their tendency to settle new parts of the country. States like Wisconsin, Minnesota and the Dakotas were practically founded by Scandinavian immigrants. They assimilate readily, take part in politics, usually on the side of good government; and they are in every way a desirable addition to the country. Even where they enter trades like the clothing trade, they work under hygienic conditions and make use of machinery. They send their children to school instead of putting them into the shops. They are also free from serious crimes and free from pauperism; although not from small misdemeanors. They have no especial tendency to form colonies, and, owing to their universal education, soon learn English. The Swedes are considered on the whole superior to the Norwegians.

Slavs.[31] For convenience, the various Slav peoples will be briefly considered together. The immigration of Slavic races in 1904 was as follows:

[31] Peter Roberts, *Anthracite Coal Communities; Report of the Industrial Commission,* vol. 15, pp. 389-420 and *passim; Charities,* vol. 13, No. 10 (Dec. 3, 1904); Dr. Allan McLaughlin, in *Popular Science Monthly,* vol. 63, pp. 25-32 (May, 1903); E. A. Steiner, in *Outlook,* vol. 73, pp. 555-564 (Mar. 7, 1903); W. Z. Ripley, *Races of Europe.*

	Numbers.	Illiteracy Per cent.
Polish	67,757	35.8
Slovak	27,940	27.9
Croatian and Slovenian	21,242	36.1
Lithuanian	12,780	54.1
Bohemian and Moravian	11,911	1.8
Ruthenian	9,592	58.8
Bulgarian, Servian and Montenegrin	4,577	45.4
Russian	3,961	26.0
Dalmatian, Bosnian and Herzegovinian	2,036	35.6
TOTAL	161,796	

By far the larger part of these immigrants is unskilled workmen, and goes to the mining regions of Pennsylvania, although some take up other forms of unskilled labor and the simpler kinds of manufacturing industries. With the exception of the Bohemians they bring but little money, the average amounts shown varying from eight dollars, in the case of the Lithuanians, to fifteen dollars in the case of the Russians. The Bohemians bring nearly twice as much. Nearly all Slavs are Roman Catholics, but a few belong to the Greek Church, still fewer to the Lutheran Church.

The Poles were intrinsically a warlike and progressive people. They have been the victims of political oppression and spoliation, and have thus been reduced to a lower industrial and social position than they would otherwise have reached. More than the other Slavic races, they go into manufacturing concerns and mills, and many have reached a comfortable independence. Five-sixths of the male Polish immigrants are unskilled laborers, and practically all are Roman Catholics.

The Bohemians[32] have an extremely low per cent. of

[32] See *Report of the Industrial Commission*, vol. 15, pp. 507-510; E. A. Steiner, in *Outlook*, vol. 73, pp. 968-972 (Apr. 25, 1903); *Charities*, vol. 13, No. 10 (Dec. 3, 1904).

illiteracy, less than one-half that of German immigrants. They are largely settled in New York, Chicago, Cleveland and other cities, where they generally engage in cigar-making and in other manufacturing pursuits. They publish a number of newspapers and many books in the Czech language, and are wide awake and progressive. In religion and politics they are very independent. Their nature is said to be at times suspicious and quarrelsome, though this seems less true of the younger generations. Chicago is the leading center, but there are Bohemian colonies in many of the smaller cities and towns; indeed the first settlements after the revolution of 1848 were comprised of students and professional men who were forced on their arrival to take to farming. After the German immigration, the Bohemians found that as they were able to speak German, they could go into manufacturing with more success, and they have since tended more in that direction. This fact has, in turn, induced the immigration of the laboring class.

Like other peoples who have escaped from officialism and autocracy, the Bohemians dislike law and authority, and insist strenuously on their rights and liberties. In Chicago they take part in politics and their intellectual activity tends on its political side to lead them to some extent into socialism. Upon the whole, the Bohemians are likely to prove a valuable addition to our population, especially if they can be mixed with other races. The north Bohemians are especially desirable, as the great majority are skilled in glass blowing, textile industries and the like. They are chiefly Roman Catholic in religion, and the wives and children usually assist in wage-earning.[33]

In general it may be said that the Slavic immigrant

[33] *Special Consular Reports*, vol. 30, p. 10.

furnishes probably the most difficult problem with which we have to deal. For while, like other immigrants, he has large possibilities of development and improvement provided his environment is favorable, his past, his customs and his inherited traditions make change very slow, especially in view of his temporary residence and the persistency with which his love for his native country and language survive. In the second and third generations, indeed, many of the Slavs desire the concentration of advantages, and consequently their birth rate is falling and their standard of living is rising. But these are, after all, only matters of outward conformity, and the difference in training between children raised in a native community and those accustomed from childhood to the surroundings of a foreign mining camp is immense. Most of what is said later in parts of this volume, of the dangers and difficulties arising from recent immigration, is especially true of Slavic immigration and need not be repeated here. For more detailed information in regard to racial characteristics the reader is referred to the references at the beginning of this division.

Syrians.[84] The Syrians, like the Armenians, are a recent element of immigration. In 1904, the total Syrian immigration was 3,653 persons, and, of these, 300, or nearly ten per cent., were debarred. One hundred and fifteen were debarred for disease. The Syrians came chiefly from Turkey and the West Indies, and were destined for New York, Massachusetts, Pennsylvania, Ohio and Connecticut. Owing to the fact that a few brought large sums, the average money exhibited was about sixty dollars per capita, but only one-seventh showed more than fifty dollars. The illiteracy of those

[84] See *Report of the Industrial Commission,* vol. 15, pp. 442-446.

over fourteen years of age, which was 54.7 per cent., was the highest for any non-European race.

Much of what was said above about Armenians applies also to Syrians. The chief business of the race is peddling and small manufacturing. Many of them take up professional begging. Their principal defect is an absolute disregard of truth. Shortly after their arrival many immigrants put their children into public institutions, where they are cared for and educated at the public expense until they can obtain remunerative work. Officers of the Associated Charities coming in contact with them assert that they are among the most difficult people to deal with. On landing they go immediately to settlements of their countrymen, from which an indescribable condition of congestion, filth and poverty results. Their physique is poor, and they are very subject to loathsome and contagious diseases.

Some of the immigrants have an instinct for weaving and go into silk and cotton mills, apparently with some success. Their emigration is said to be due to the misrule of the Turkish authorities; and that they come to the United States is the work of missionaries. Nine-tenths of them are Catholics, though a few belong to other sects. Unless coupled with free support, they have only the slightest desire for education, and it is estimated that there are less than 100 Syrian children in the public and parochial schools of New York. The relatively wealthy Syrians, it is said, are more bent on the accumulation of money than on the improvement of their standard of living, and many continue to live in the same manner as their poorer neighbors. On the whole they are fairly temperate, and more peaceable than some other nationalities. It is their other qualities that make them very undesirable immigrants.

CHAPTER IV

ECONOMIC CONDITIONS OF IMMIGRATION

A. MONEY VALUE OF THE IMMIGRANT

In describing the economic conditions of immigration, we have first to consider the immigrant himself, regarded from an economic standpoint. This topic falls under two heads: first, the personal value of the immigrant; and second, the money or other capital which he brings with him.

In estimating the money value of the immigrant, attention may first be called to the fact that the bulk of our immigration is of the age of greatest productiveness; that is to say, this country has the benefit of an artificial selection of adults of working age. For example, in 1903, less than 12 per cent. of all immigrants were under fourteen years of age; and less than 5 per cent. were over forty-five years of age, leaving more than 83 per cent. between the ages of fourteen and forty-five. In other words, the expense of bringing up the bulk of our immigrants through childhood has been borne by the countries of their birth or residence, and this amount of capital therefore comes to us without expenditure. Professor Mayo-Smith refers to the frequently quoted estimate of Frederic Kapp[1] that the cost of bringing up a child to the age of fifteen is $562.50 in Germany, and $1000 to $1200 in the United States.

[1] *Immigration and the New York Commissioners of Emigration*, p. 146 (1870).

Taking the value of the immigrant at $1000, the immigration over fourteen years of age in 1903 would have added $754,615,000 to the wealth of the United States if it had all remained in the country.

But Mayo-Smith[2] rightly considers this kind of an estimate fallacious, as well as that which holds that the true test of the value of an immigrant is not the cost of production, so to speak, but the amount of wealth he will add to the country before his death, less the cost of his maintenance. The latter valuation has been variously given as $875 for English and $225 for Germans, and is based on the expectation of life, cost of living and average wages. This method of valuation assumes steady employment at a fairly constant wage. But one has no right to take for granted that these conditions obtain. As a matter of fact, we know that at all times an appreciable per cent. of labor is unemployed, and at certain times, a large per cent.; and it cannot be assumed that immigrants coming in vast numbers to a strange land will at once or continuously be employed in the occupation for which they are fitted, or that they receive the average wages in those occupations. Indeed we know that directly the opposite is true. We know that the proprietor of the sweatshop pays starvation wages, and that the padrone supplies laborers at from 25 to 60 per cent. less than the current wages of unskilled labor. We know that, because of the congestion in cities, recent immigrants have the greatest difficulty to obtain employment at all, and that the oft-repeated demand of the labor organizations for further restriction is due not only to increased competition, but to the competition of those who are willing to cut the union rates of wages.

[2] *Emigration and Immigration*, pp. 104-109.

It is difficult, therefore, to say precisely what the money value of the immigrant is. The remote as well as the immediate effects of his coming must be considered, and also the state of employment and the rate of wages at the time of his arrival. A thoroughly conservative estimate is probably that of Mr. John B. Webber,[3] formerly Commissioner of Immigration at the port of New York. He assumes that there were 10,000,000 foreign born at the date of the eleventh census and that 2,000,000 of these were working at an average wage of $1.00 per day; and he points out that these persons added $600,000,000 a year to the earnings of this country.

When we inquire into the amount of capital the immigrant brings with him in the form of money, a more definite answer can be given as to his economic value. Thus it appears that, in 1903, 857,046 newcomers exhibited to the inspectors the sum of $16,117,513, or an average of about $19 apiece. This was a slight increase over previous years. The average shown in 1896 was $11; in 1898 and 1899, $17; in 1897, 1900 and 1901, $15; and in 1902, $16. In 1904 the average money shown was $26, and, no doubt, the more prosperous always bring in a great deal which is not exhibited. In considering these amounts, however, it should be remembered that, instead of bringing money with them, it is becoming more and more common for immigrants to send it ahead through banking institutions; but no one has attempted to state the amount thus sent.[4]

The reader, however, must not infer from the foregoing figures that every immigrant brings in a sum near

[3] In *North American Review*, vol. 154, p. 435 (Apr. 1892).

[4] Report of Commissioner of Immigration at New York for 1901.

the average. In 1904, 215,765 persons, or over 26 per cent. of the total immigration, exhibited no money at all. Of course, many of these were children and married women. But, in recent years, large numbers of unskilled laborers have been allowed to land who had only a dollar or even less in their possession, and it can be shown that the method of including children does not affect the general proposition that a large proportion bring less than the average money. Thus in 1895, 160,103 immigrants over 20 years of age brought $4,126,793, or an average of $25.97 each; and if all immigrants had been included, the per capita amount would have been only $16.34. The same report for 1895 also shows that 78 per cent. of the 160,103 immigrants brought less than $30, and only 22 per cent. brought more; and it is clear that, even allowing for the difference between $26 and $30, a large proportion of those over twenty years of age must have brought less than the average money. In 1895 an examination was made of the manifests of 331 illiterates landed at Ellis Island, New York, chiefly Russian Jews, Austro-Hungarians (mostly Magyars, Galicians and Croatians) and some Syrians. Of these, 32, or 10 per cent., brought in no money at all; 101, or 30 per cent., brought from one to five dollars each; 92, or 28 per cent., brought from six to ten dollars; and 106, or 32 per cent., brought over ten dollars. In other words, 40 per cent. of those examined had five dollars or less, and 68 per cent. ten dollars or less. The report of the Superintendent of Immigration for 1892, page 26, shows that of 9639 Russian Jews arriving at New York, 333 brought more than $100, one of them $25,000; but, of the 9306 remaining, nearly all were destitute.

In 1904, the total money exhibited by immigrants

amounted to nearly twenty-one millions. Probably a further amount was brought in but not shown. Great diversity exists in the average amounts of money brought by the different races. This is shown by the following table for the year 1900:[5]

Races	Amount of money shown per capita	Races	Amount of money shown per capita
Scotch	$41.51	Syrian	$14.31
Japanese	39.59	Chinese	13.98
English	38.90	Finnish	13.06
French	37.80	Croatian and Slavonian	12.51
Greek	28.78	Slovak	11.69
German	28.53	Ruthenian (Russniak)	10.51
Bohemian and Moravian	23.12	Portuguese	10.47
Italian (northern)	22.49	Magyar	10.39
Dutch and Flemish	21.00	Polish	9.94
Cuban	19.34	Italian (southern)	8.84
Scandinavian	16.65	Hebrew	8.67
Russian	14.94	Lithuanian	7.96
Irish	14.50		

From this it is evident that the races coming to us recently in the largest numbers, stand much nearer the foot of the list than those of which our immigration was chiefly composed before 1880. For example, the northern Italians, who formed the beginning of Italian immigration, brought nearly three times as much as their southern brothers, who, for a number of years, have constituted the largest single element in immigration. The great numbers of poor Hebrews sufficed far to outweigh any rich traders, and brought the average of that race down nearly to the bottom of the list.

As a general principle, also, it is true that the best educated races and those contributing the most skilled labor bring the largest share of the pecuniary results of that skill and intelligence. This is strikingly brought out in the following table made up for the year 1899 for immigrants arriving at the port of New York:

[5] *Report of the Industrial Commission*, vol. 15, p. 284.

Race of People	Per cent of Illiterates	Money brought per capita
Portuguese	45.73	$ 7.57
South Italians	46.56	8.79
Lithuanians	28.05	8.18
Ruthenians	45.83	9.53
Syrians	41.22	13.95
Poles	28.39	10.37
Slovaks	26.22	12.82
Northern Italians	11.00	22.00
Germans	4.43	29.18
French	3.53	31.97
British	2.43	29.51

The table likewise shows that even among the illiterate races, the more illiterate bring the less money.

While the amount of money brought by an immigrant can be only a rough and deceptive test of his worth, it does enable us to make certain predictions about his economic relations after landing. For example, the money brought has an important bearing upon the automatic distribution of immigrants. Those who bring little money are tied to the seaboard, and unable to enter occupations requiring capital. This is why so few of the relatively illiterate races go to the West or the South, or become landowners.

Whatever money is brought is, however, a direct gain to the nation. It generally represents the price realized by the immigrant from the sale of his farm or business in the old country, or his savings for a longer or shorter period. The money, furthermore, is spent in the United States, and no equivalent need be sent abroad to make a balance of trade. It would be interesting to know what proportion it bears to the amount our people spend in European travel. Whatever it is, the money devoted annually by this country to the benefit of aliens, represents a capital far in excess of the surplus brought by well-to-do immigrants and not needed for their own support.

Besides the cost of diseased and destitute aliens to this nation, there must also be set, against the money brought, the amount remitted abroad or taken out by returning emigrants. The figures representing this are largely guesswork and are taken entirely from unofficial sources. In 1883, the sum sent to Italy alone was reported by the Italian Vice-Consul at New York to be nearly five millions of dollars; and the Commissioner at New York in 1896 stated that conservative estimates of the total amount varied from four millions to thirty millions of dollars.[6] Commissioner-General Stump, during a trip abroad as Chairman of the Immigration Investigating Commission, noted that "the marked increase in the wealth of certain sections of Italy can be traced directly to the money earned in the United States." Various British authorities have asserted that the amount sent to Ireland from this country each year exceeded the total cost of poor relief in Ireland.

In respect to assisted immigration we found that from ten to fifty per cent. of all immigrants came as "prepaids." If we assume an average immigration of 600,000 persons, with 200,000 coming as "prepaids," and that the average rate of passage was $25 we shall have five millions of dollars accounted for in this way. Probably this estimate is much too small; and, in addition to the passage money, not a little is sent for incidentals, and to show on inspection.[7]

The economic value of the immigrant may be further

[6] See Rhoda Gale, in *Lippincott's*, vol. 58, p. 234 (Aug. 1896). The latter figure is given in *Special Consular Reports*, vol. 30, p. 83 (1904).

[7] The Dingley report, p. 249, speaks of this export of money in the following language:

"It is not too much to say that if the countries of Europe were for one year deprived of the vast sums of money sent to Europe

considered from the standpoint of the savings accumulated after arrival and not sent out of this country. In the large cities the Jews have acquired considerable real estate and have also moderately large deposits in savings banks. The Slav miners in the anthracite industry, in four towns alone, own $2,500,000 in real estate, or about $100 per capita of the Slav population in these towns. In one town they own two-fifths of the homes having an average value of $953 each.[8]

The Italians in New York City are said to hold $60,000,000 worth of property, of which $15,000,000 is in savings bank deposits; and those in St. Louis, San Francisco, Boston and Chicago are reported to have even larger amounts.[9] These figures give some idea of the additions to the wealth of the community made by the newer comers to our shores, and constitute a hopeful sign for the future. The sacrifice of comfort, health and decency involved in the production of this wealth, however, should never be forgotten, and the effects of such a sacrifice must be paid for by the community in many forms.

B. OCCUPATIONS

The Immigration Bureau in its annual reports gives elaborate and interesting tables showing the occupations of immigrants. These may be roughly grouped into: (1) professional and skilled, (2) agricultural, (3) per-

from the United States by immigrants and taken to Europe by the visiting and returning immigrant, every department of European enterprise would feel the shock."

[8] See Kate H. Claghorn, "Immigration in its Relation to Pauperism," in *Annals of the American Academy of Political and Social Science*, vol. 24, p. 201 (July, 1904). As to the mining regions see Peter Roberts, *The Anthracite Coal Communities*, chap. ix.

[9] G. C. Speranza, in *Charities*, vol. 12, p. 462 (May 7, 1904).

sonal and domestic servants, (4) laborers, (5) persons with no occupation, including women and children, and (6) all others. Out of a total immigration of 857,046 in 1903, 124,683, or 14.6 per cent. were skilled; 90,881, or 10.6 per cent. were farmers and farm laborers; 92,686, or 10.8 per cent. were personal and domestic servants; 320,642, or 37.4 per cent. were laborers; 199,701, or 23.3 per cent. were without occupation; leaving 21,454, or 2.5 per cent. to cover all others.

The first thing that impresses us in these figures is the large proportion of unskilled labor. Thus, the percentages of immigrants having no occupation, including women and children, since 1894 have been as follows:

1895	36
1896	36
1897	39
1898	39.4
1899	35.1
1900	30.1
1901	30.5
1902	23.6
1903	23.3
1904	26.4
1905	22.6

The diminution in this class is probably more apparent than real, and is due in part to greater care in the tabulation of statistics and the preparation of manifests, and in part to the impression among the immigrants that the giving of an occupation tends to improve the chances of admission. The percentage of immigrants who were farm laborers, laborers, or servants for the same years was as follows:

1895	42
1896	46
1897	40
1898	40.3
1899	47.3

1900	53.0
1901	53.1
1902	60.6
1903	57.3
1904	49.4
1905	54.1

Combining the two foregoing tables, it appears that the proportion of immigrants practically without knowledge of a trade or means of livelihood has remained nearly constant for the last decade, and is about four-fifths of the total arrivals. In 1893, skilled immigrants were supplied in the following proportions: among immigrants from Scotland, 1 in 4 was skilled; from England and Wales, 1 in 5; from Belgium, 1 in 7; from France, 1 in 9; from Germany and Norway, 1 in 10; from Italy, 1 in 14; from Russia, 1 in 18; from Poland, 1 in 23; from Austria-Hungary, 1 in 29. The immigration from Germany, Scandinavia and Ireland contains a large proportion of females intending to enter domestic service.

In 1903, the proportion of skilled persons in the races contributing ten thousand or more immigrants was as follows: English and Hebrew, 1 in 3; German, 1 in 5; Italian (North) and Scandinavian, 1 in 6; Italian (South), 1 in 8; Greek, 1 in 9; Irish, 1 in 11; Magyar, 1 in 13; Croatian and Slovenian, 1 in 19; Japanese and Polish, 1 in 22; Finnish and Lithuanian, 1 in 24; Slovak, 1 in 25.

The principal skilled occupations to which over 1000 immigrants belonged in 1903, were as follows: bakers, 3885; barbers, 3069; blacksmiths, 5345; butchers, 2810; carpenters and joiners, 13,250; clerks and accountants, 6978; gardeners, 1182; ironworkers, 1448; locksmiths, 2549; machinists, 1395; mariners, 9148; masons, 7085; miners, 8059; painters and glaziers, 2826; seamstresses and dressmakers, 8513; shoemakers, 9770; stonecutters,

1730; tailors, 15,992; tinners, 1465; weavers and spinners, 3823. In addition to the skilled immigrants, there were also 6999 professional persons, of whom the largest number, 2286, were engineers, and the next largest, 853, were teachers. Mention should also be made of 12,379 merchants, dealers, and grocers, not included under any other heading.

In considering these statistics, it should be borne in mind that the pursuits reported by the immigrants are not necessarily their real occupations; and, also, that large numbers will take up entirely different pursuits in this country. For example, nearly one-half of the farm laborers were destined for the two States of New York and Pennsylvania, and it is not to be supposed that all of these finally followed agricultural occupations.

C. BIRDS OF PASSAGE

Attention has already been directed to the immigrants who remain here a certain time, then go abroad, and return some months or years later; and who, perhaps, repeat this process several or many times. Such immigrants are generally known as "birds of passage." Before 1897 no figures were published showing who had been in this country before. The percentages beginning with that year are as follows:

1897	19.3
1898	18.6
1899	15.4
1900	11.6
1901	11.9
1902	9.5
1903	8.9
1904	12.8
1905	17.1

The decrease in the number of "birds of passage" is probably due in part to the greater care taken in pre-

paring manifests and in inspection, and in part to knowledge on the part of immigrants that a hue and cry has been raised against birds of passage. But a more important factor undoubtedly is the increasing proportion of immigrants from the Mediterranean. It is to be regretted that our information upon this, as on so many other subjects related to immigration, is derived from the unverified assertions of the immigrants themselves.

Italy and Canada are the countries which furnish the greatest number of the class we are now considering. Many Italians come in the spring to work during the summer season, when public works are undertaken, and return to Europe in the autumn when the demand for labor has diminished. In each case, they bring practically no money and live very frugally while here, carrying back in the fall sums of money ranging as high as $1000. With this they purchase homes in Italy, where they can live more cheaply than in the United States. There are also many skilled laborers who come from Great Britain and Ireland during the summer and return during the winter.

But by far the largest class of birds of passage consists of those coming, not from across the water, but from contiguous territories. It has been estimated that from 50,000 to 70,000 native Canadians come yearly into the United States during the busy season and return to Canada during the winter. The competition of these Canadians is severe and is felt chiefly in New England and in the States across the Canadian border. As in the case of the Italians, most of the money earned is sent back or taken back to the mother country.

Opinions as to the desirability of this class of immigrants vary considerably. On the one hand, it is pointed out that they are willing to underbid the current rate of

wages in order to get employment, and that they return home to spend their money, having formed no permanent ties, and having acquired a relatively slight acquaintance with our institutions and standards of living.[10] On the other hand, it is asserted that, after three or four visits, many of these immigrants send for their families and become permanent settlers. It is also said that formerly one-half of the Italians returned each year, but that now the proportion does not exceed one-quarter, and the general tendency is to form a permanent settlement.

The official returns do not disclose *how often* the arrivals listed have been in the United States before; but the present writer has examined some thousands of manifests, from which it appears that in many cases immigrants have visited this country five, six, or seven times, and that cases of two, three and four visits are common. An examination of the manifests of 3174 Italians, in 1896, showed that 27.7 had been in the country before. As a rule these persons do not bring their families with them, and the proportion of women is very low.

[10] For example, R. P. Faulkner, in *Political Science Quarterly,* vol. 19, p. 42 (March, 1904), expresses this feeling: "The temporary immigration is much to be deplored, since it introduces into the body politic a class of people not only alien in fact but determined to remain so, wholly indifferent to their adaptation to the conditions of life by which they find themselves surrounded. To put it in another form, we have here a class eager to profit by our standard of wages but unwilling to adopt our standard of expenditure. . . . That it [standard of living] is to some degree a factor in determining wages is generally conceded, and the introduction and maintenance of a lower standard must result in injury to the working classes when it embraces a number of persons large enough to be a factor in the labor market."

CHAPTER V

SOCIAL CONDITIONS OF IMMIGRATION

A. ILLITERACY

An "illiterate" immigrant as defined by the Immigration Bureau is one fourteen years of age or over who cannot write, or who can neither read nor write any recognized language or dialect; whether it be the language or dialect of his native or resident country, or, as in the case of Yiddish, one used by a particular sect or community.

The general illiteracy of immigrants in recent years has been as follows:

	Per cent. of illiterate in total immigration over 15 years of age
1895	20
1896	29
1897	23
	Over 14 years of age
1898	23
1899	19.7
1900	24.3
1901	28.4
1902	25.4
1903	25.0
1904	24.6
1905	26.2

In 1903 there were about 190,000 illiterate immigrants over fourteen years of age, who were not likely to receive any schooling after their arrival, fourteen years being the limit of compulsory education in most of the States.

The illiteracy of the different races contributing more than 2000 immigrants each during the past three years has been as follows:

NORTHERN AND WESTERN EUROPE (Chiefly Teutonic and Keltic)	1902	1903	1904
Scotch	1.2	1.2	0.6
Scandinavian	0.5	0.6	0.7
English	1.9	1.6	1.3
Bohemian and Moravian	1.6	1.6	1.8
Finnish	1.4	2.2	2.7
French	4.8	3.8	3.2
Irish	3.9	3.8	3.4
Dutch and Flemish	7.6	6.9	4.1
German	5.4	4.6	4.8
Italian (North)	14.4	12.7	12.6
AVERAGE OF ABOVE	4.4	3.9	4.0
SOUTHERN AND EASTERN EUROPE (Chiefly Slavic and Iberic)			
Spanish	——	8.9	9.8
Magyar	13.3	10.5	14.1
Greek	30.0	27.7	23.6
Russian	——	31.9	26.0
Slovak	25.9	21.6	27.9
Roumanian	28.3	21.5	31.7
Dalmatian, Bosnian and Herzegovinian	——	——	35.6
Polish	38.4	32.1	35.8
Croatian and Slovenian	42.2	35.2	36.1
Bulgarian, Servian, Montenegrin	——	44.7	45.4
Lithuanian	54.1	46.6	54.1
Italian (South)	56.4	51.4	54.2
Ruthenian	50.0	49.4	58.8
Portuguese	71.6	73.2	67.5
AVERAGE OF ABOVE	44.3	39.7	42.6
OTHER RACES			
Chinese	——	12.9	8.2
Cuban	8.0	4.2	8.7
Japanese	1.2	27.0	21.6
Hebrew	28.6	26.5	23.3
African (black)	——	32.5	23.7
Syrian	51.0	53.8	54.7

It will be noted that the illiteracy of southern and eastern Europe is nearly ten times that of northern and western Europe, and that the Syrians are more than one-half illiterate. If the age limit of the above table were ten instead of fourteen years, the contrast with the native illiteracy of 10.7 per cent. would be much more striking. The illiteracy of particular shiploads is often much above the foregoing figures. From manifests examined by the writer at New York in 1902 the illiteracy of Hebrews was 44.9 per cent., and of Syrians 76.8 per cent. It is asserted that the Hebrew illiteracy arises from the immigrant's misunderstanding of the question whether he can read and write, and that, in fact, all Hebrews can read and write Yiddish. Actual tests made at New York by the Immigration Restriction League do not, however, entirely sustain this contention. Reliable figures as to the illiteracy of the various races of Asia and Africa in their own countries are not available; but, as nearly 30,000 Asiatics, or 3.5 per cent. of the total immigration, came to our shores in 1903, and as this immigration is sure to increase with the spread of steamship lines to the Mediterranean and the Levant, there is reason to suppose that the average illiteracy may increase in the near future, in spite of the spread of education in parts of Europe.

The relative illiteracy of males and females for specimen groups of certain races landing at New York in 1901 was as follows:

Race	Males	Females
Armenian	14	37
Bohemian and Moravian	2	3
Croatian and Slovenian	50	55
English	2	8
Finnish	1	3
German	9	11
Greek	4	6

Race	Males	Females
Irish	4	6
Italian, North	20	21
Italian, South	62	74
Magyar	11	12
Polish	36	48
Ruthenian	66	78
Scandinavian	1	1
Scotch	2	3
Slovak	20	21
Syrian	55	81

B. CRIME, INSANITY AND DISEASE

An act passed in 1875 prohibited the immigration of convicts, except those guilty of political offences; or, as it is expressed in the present law, "persons who have been convicted of a felony or other crime or misdemeanor involving moral turpitude," provided, "that nothing in this act shall exclude persons convicted of an offence purely political, not involving moral turpitude." In 1904, out of over 812,870 immigrants, only 35 were debarred under this clause—a small percentage probably of the number who should have been excluded. Mention has been made[1] of the extent to which foreign governments and societies have endeavored in the past to get rid of criminals by sending them to this country, and it is not likely that the practice has entirely ceased. In such cases the immigrant is doubtless well "coached" for his inspection here, and, without the cooperation of foreign officials, it is nearly impossible to obtain sufficient evidence to secure exclusion. The writer has been told by an eye witness of at least one case within ten years, where, of two persons arrested in England for an offence the penalty for which was six months' imprisonment, one who had a ticket to America was allowed to proceed on his way while the other suffered the full penalty.

[1] Chapter ii., F.

The present law excludes idiots, insane persons, epileptics, persons who have been insane within five years previous and persons who have had two or more attacks of insanity at any time previously. In 1904, under these provisions, 49 persons were debarred out of 812,870. Of these 49 persons, 16 were idiots and 33 were insane persons. While the law no doubt tends to exclude some who are obviously insane, there is reason to believe that many escape detection, and that some come in through Canada who would be debarred by inspectors at Atlantic ports.[2] Probably there is a much larger class who have been out of insane hospitals in Europe only a few months when they enter the United States. These persons are sane enough to pass the ordinary inspection; but, failing to find employment and having spent their money, they become ill-fed and soon go to pieces; after which they are recommitted here.[3]

The act of 1891 added to the excluded classes persons suffering from loathsome or dangerous contagious diseases. In 1903, 1773 persons were debarred for these causes.[4] These diseases include two practically unknown in America until the beginning of immigration from southeastern Europe and Asia, favus and trachoma. The former is an affection of the scalp; the latter a disease of the eyes and eyelids, which if not cured results in blindness. Other diseases causing exclusion are small-pox,

[2] *Senate Reports*, 57th Cong., 1st Sess., No. 2119, p. 243; *New York Medical Journal*, vol. 77, p. 224 (Feb. 7, 1903).

[3] *Report of the Industrial Commission*, vol. 15, p. 236; T. V. Powderly, in *North American Review*, vol. 175, pp. 53-60, especially, p. 54 (July, 1902).

[4] Cp. *Report of the Industrial Commission*, vol. 15, pp. 126-132; T. V. Powderly, "Immigration's Menace to National Health," in *North American Review*, vol. 175, pp. 53-60.

cholera,[5] tuberculosis,[6] and venereal diseases. Favus and trachoma have attracted most attention because of the difficulty of their detection and the serious results of their domestication. In 1904, out of 812,870 immigrants, 1560 were rejected because suffering from loathsome or dangerous diseases, and 6440 were treated in the hospitals for various ailments.

While a few immigrants are thus debarred because of diseases, large numbers are allowed to land who are poor in physique, and destined shortly to develop acute troubles. In the majority of cases it is impossible to detect incipient cases of tuberculosis among the steerage passengers in the time available for observation; and there are many immigrants, not actually tuberculous when they land, who quickly become infected through living in unsanitary conditions and in close contact with those already affected.

The number of "diseased" persons in certain races of recent immigrants for the year 1901 was as follows:[7]

Slav (Pole, Slovak, Croatian)	1 in 7000
Magyar	1 " 6500
Italian	1 " 3450
Lithuanian	1 " 1250
Hebrew	1 " 1100
Finn	1 " 1000
Syrian	1 " 135

[5] As to the proposition to suspend immigration entirely in 1893 during the epidemic of cholera in Europe, see W. E. Chandler, in *North American Review*, vol. 156, pp. 1-8 (Jan. 1893); H. C. Hansbrough, *ibid.*, pp. 220-227 (Feb., 1893).

[6] Added by opinion of Commissioner-General, May 4, 1901. See *Report of the Commissioner-General of Immigration, 1901*, p. 33.

[7] Dr. Allan McLaughlin, in *Popular Science Monthly*, vol. 62, pp. 407-409 (Jan., 1903).

The ratio for the same year of immigrants requiring hospital treatment on arrival, to the totals landed, was as follows:

Slav	1 in	300
Magyar	1 "	250
Finn	1 "	200
Italian	1 "	185
Lithuanian	1 "	140
Hebrew	1 "	100
Syrian	1 "	35

Immigrants certified as having some disability grave enough to make them public charges or dependent upon some one, in proportion to the totals landed, for the same year (1901) were:

Lithuanian	1 in	1906
Slav	1 "	664
Italian	1 "	172
Finn	1 "	163
Magyar	1 "	148
Hebrew	1 "	42
Syrian	1 "	29

The ratios of minor defects to the number landed for the same year are given below. These defects, although not sufficient to ensure rejection, were such as were likely to affect the immigrant's chances of becoming a public charge, *e.g.*, poor physique, loss of an eye or a finger, anemia and the like.

Finn	1 in	81
Slav	1 "	65
Lithuanian	1 "	64
Magyar	1 "	40
Italian	1 "	26
Syrian	1 "	24
Hebrew	1 "	16

It will be observed that in each of the respects noted

in these tables, Hebrews [8] and Syrians made the worst showing, a fact of serious import when the tendency of Asiatic immigration from the Levant to increase is remembered. It will also be noticed that the immigrants of poor physique are, as a rule, from the most illiterate races, and are, therefore, beyond the reach of tracts and circulars relating to hygiene and tuberculosis. The following table supplements those given, and includes the Irish and Scandinavians by way of comparison: [9]

Race	Ratio sent to hospital on arrival to total landed	Ratio deported on medical certificate to total landed
Hebrew	1 to 90	1 to 393
Italian	1 " 177	1 " 535
Slav	1 " 200	1 " 575
Irish	1 " 645	1 " 1450
Scandinavian	1 " 715	1 " 3280

The present condition of immigration with respect to disease has been well summed up as follows: [10] "Good physique was much more general among immigrants a quarter of a century ago than among the immigrants of to-day. The bulk of the immigrants previous to 1880 came from the sturdy races of northern and western Europe, and, not only was good physique the rule, but loathsome, communicable or contagious disease was extremely rare. . . . With the change in the racial character of immigration, most marked in the past decade, a pronounced deterioration in the general physique of the immigrants, and a much higher per cent.

[8] See "Health and Sanitation of the Immigrant Jewish Population of New York" by Dr. Maurice Fishberg, in *The American Hebrew* (New York City), July 25, 1902.

[9] Dr. Allan McLaughlin, in *Popular Science Monthly*, vol. 64, p. 233 (Jan. 1904).

[10] *Ibid.*

of loathsome and dangerous disease is noticeable. . . . The immigrant recorded as having a poor physique is usually admitted."

C. DISTRIBUTION OF IMMIGRANTS [11]

While the distribution of immigrants after their arrival has important effects, economic, social, and political, the fact of such distribution is really a social condition of immigration itself, and should, therefore, be considered here. It is a matter of common knowledge that the North Central States [12] were for the most part settled by the Teutonic immigration of the last century, and that the inhabitants of the North Atlantic States are to-day very largely foreign-born. This tendency of immigrants to settle in the northern parts of the country is reflected in the census returns of the foreign-born. Thus, of the 10,356,644 foreign-born in the United States, exclusive of Alaska and Hawaii, in 1900, the North Atlantic division contained 22.6 per cent.; the North Central, 15.8 per cent.; and the Western 20.7 per cent.; leaving only 4.6

[11] For the general figures as to the foreign-born in the United States, see *infra,* chapter vi. For congestion in cities, see *infra* chapter viii., F. For distribution of immigrants as a remedy for existing evils, see *infra,* chapter xiii., A. See also as to the agricultural distribution of immigrants, *Report of the Industrial Commission,* vol. 15, pp. 492-646.

[12] The North Atlantic division embraces New England, New York, New Jersey, and Pennsylvania; the North Central, the States from Ohio to the Dakotas and Kansas, including Missouri; the Western, all west of the Dakotas, Kansas, and Texas; the South Atlantic, West Virginia, the District of Columbia, and all the States south of Pennsylvania which touch the Atlantic coast; the South Central, the remainder of the Southern States.

per cent. for the South Central and South Atlantic divisions combined. That the same tendency was at work during the decade preceding 1900 appears from the fact that four-fifths of the whole increase in the foreign-born from 1890 to 1900 is concentrated in the North Atlantic division.[13]

This tendency to concentration is still more apparent when we consider the increase of foreign-born in certain States, as shown in the following table:

	Number	Per cent. of total increase in United States
New York	329,375	30.1
Massachusetts	189,187	17.3
Pennsylvania	139,530	12.8
Illinois	124,400	11.4
New Jersey	102,909	9.4
Connecticut	54,609	5.0
TOTAL, 6 States	940,010	86.0

It appears, therefore, that six States have received more than four-fifths of the increase; and if we were to look within those States we should see a still larger relative gain in the important cities. Thus, during the decade, the foreign-born population of Illinois increased 124,400, while that of Chicago increased 136,446, show-

[13] The proportion of the foreign-born in the various geographical divisions, beginning with the census of 1850, is shown in the following table, from the *Twelfth Census of the United States*, vol. I, p. civ.:

DIVISIONS.	1900	1890	1880	1870	1860	1850
North Atlantic	46.0	42.0	42.1	45.3	48.9	59.0
South Atlantic	2.1	2.3	2.6	3.0	3.9	4.7
North Central	40.2	43.9	43.7	41.9	37.3	29.0
South Central	3.5	3.5	4.1	4.2	5.6	6.1
Western	8.2	8.3	7.5	5.6	4.3	1.2
United States	100.0 per cent.	100.0 per cent.	100.0 per cent.	100.0 per cent.	100.0 per cent.	100.0 per cent.

ing a movement toward the cities within the State itself.

That this general tendency, which has been true of immigration in the past, is operating to-day, and in increasing proportions is also clear. The destinations given by immigrants, which appear upon the manifests, are doubtless, in many cases, inaccurate. Many who do not know where they will go give as their destination the port of landing or some large city; many also after landing change their destination. But, on the whole, the statistics of destination are in close correspondence with the census. Thus, the percentage of the total immigration destined for the four States of Illinois, Massachusetts, New York and Pennsylvania has been in recent years as follows:

1895	72	per cent.
1896	72	" "
1897	71	" "
1898	68.9	" "
1899	68.7	" "
1900	68.8	" "
1901	69.5	" "
1902	67.8	" "
1903	65.4	" "
1904	64.6	" "
1905	65.3	" "

On the other hand, the percentage of the total immigration for the Southern and Western States was as follows:

1896	11	per cent.
1897	15	" "
1898	15.2	" "
1899	15.7	" "
1900	13.4	" "
1901	13.5	" "
1902	13.0	" "
1904	10.1	" "
1905	8.7	" "

When we consider the composition of the popula-

tion in the various divisions of the United States, we find [14] that but a small proportion of the races which form the bulk of our recent immigration are in the unsettled regions of the West and South. Coming as they largely do on prepaid tickets, and to join friends or relatives, each shipload tends to follow the footsteps of those who have preceded and to increase the concentration in particular localities. Thus it appears that only 3.9 per cent. of the Poles, 4.4 per cent. of the Hungarians and 8.7 per cent. of the Russians (Jews) live in the Southern States or the Western division, a population of only 58,471 scattered among a total of nearly 29,000,000 souls. The North Atlantic States contain only one-third of the Germans and one-seventh of the Scandinavians, but they have over seven-tenths of the Hungarians, Italians and Russian Jews.

The local congestion of the nationalities coming to us in the largest numbers in recent years is another significant feature of immigrant distribution. That this congestion is increasing is shown by the following table of the increase of natives of certain nationalities

[14] The following table shows the distribution of various nationalities for 1890 and 1900. *Eleventh Census of the United States,* Population, Part 1, p. cxxxvi; *Twelfth Census of the United States,* vol. 1, p. clxxiv:

	North Atlantic		South Atlantic		North Central		South Central		Western	
	1890	1900	1890	1900	1890	1900	1890	1900	1890	1900
Great Britain and Ireland	59.5	61.6	2.5	2.3	27.6	25.6	2.4	2.2	7.9	8.1
France	36.0	40.6	2.3	2.3	34.1	29.4	12.7	11.2	14.9	16.5
Germany	32.2	33.2	2.9	2.7	56.4	54.9	4.1	4.1	4.3	5.1
Bohemia	10.4	14.1	1.4	2.0	84.3	75.8	3.1	6.9	0.8	1.2
Scandinavia	12.7	16.6	0.3	0.4	76.0	70.9	0.8	1.1	10.0	10.9
Austria	49.9	62.0	1.7	1.4	31.8	25.5	8.4	3.7	8.1	7.4
Hungary	72.9	73.0	1.8	1.4	22.2	22.6	1.4	1.3	1.6	1.7
Italy	65.0	72.7	2.7	2.2	12.0	11.4	6.7	5.4	13.7	8.3
Poland	38.4	51.2	1.7	1.7	57.0	44.9	1.7	1.4	1.2	0.8
Russia	50 9	65.9	3.2	3.9	38.2	25.4	1.5	2.1	6.1	2.7

from 1890 to 1900, in the several geographical divisions: [15]

	North Atlantic	South Atlantic	North Central	South Central	Western
Hungary	73.0	1.2	22.9	1.2	1.7
Italy	77.4	1.9	11.0	4.6	5.1
Poland	59.1	1.7	37.3	1.2	0.7
Russia	77.2	4.5	15.6	2.6	0.1

The North Atlantic States thus received approximately three-fourths of the increase of Hungarians, Italians and Russians (Jews), as well as nearly three-fifths of the Poles. These races do not get distributed to the West and South.

Considering certain individual States the foregoing result appears more striking, as the following compilations show:

NATIVES OF POLAND

In 1890, there were in this country 147,440 persons born in Poland; in 1900, there were 383,407. In 1890, the three Atlantic States of New York, Pennsylvania, and Massachusetts had 34.6 per cent. of the natives of Poland in the country; in 1900, they had 43.8 per cent. These three States, together with the three interior States of Illinois, Michigan, and Wisconsin, had 76.9 per cent. in 1890, and 77.2 per cent. in 1900. The three interior States had 42.1 per cent. in 1890, and 33.4 per cent. in 1900.

Almost three-fifths of the whole increase during the decade went to Pennsylvania, New York, and Illinois. Pennsylvania received 21.7 per cent.; New York 20 per cent., and Illinois 16.6 per cent. Nine-tenths of the increase in Illinois was in the city of Chicago.

[15] Compiled from *Eleventh Census,* Population, Part 1, pp. 606-609 (1890); *Twelfth Census,* vol. 1, pp. clxxii-clxxiv. (1900).

	1890		1900	
	Number of Poles	Per cent. of all in U. S.	Number of Poles	Per cent. of all in U. S.
New York	22,718	15.4	69,755	18.2
Pennsylvania	25,191	17.1	76,358	19.9
Illinois	28,878	19.5	67,949	17.7
Michigan	15,669	10.6	28,286	7.4
Wisconsin	17,660	12.0	31,789	8.3
Massachusetts	3,341	2.3	21,503	5.7
TOTAL, six States	113,457	76.9	295,640	77.2

NATIVES OF ITALY

There were 182,580 Italians in the United States in 1890, and 484,703 in 1900. The number in certain States in each of these years was as follows:

	1890		1900	
	Number of Italians	Per cent. of all in U. S.	Number of Italians	Per cent. of all in U. S.
New York	64,141	35.1	182,248	37.6
Pennsylvania	24,662	13.5	66,655	13.8
New Jersey	12,989	7.1	41,865	8.6
Massachusetts	8,066	4.4	28,785	5.9
Connecticut	5,285	2.9	19,105	4.0
Illinois	8,035	4.4	23,523	4.8
TOTAL, six States	123,178	67.4	362,181	74.7
California	15,495	8.4	22,777	4.7
Louisiana	7,767	4.2	17,431	3.6
Ohio	3,857	2.1	11,321	2.3
TOTAL, three States	27,119	14.7	51,529	10.6

From the foregoing it appears, therefore, that the five Atlantic States of New York, Pennsylvania, New Jersey, Massachusetts, and Connecticut, together with Illinois, contained two-thirds of the Italians in 1890, and that their share had risen to three-quarters, in 1900. The three non-Atlantic States of California, Louisiana, and Ohio

contained a seventh of the whole in 1890; but in 1900 their share had fallen to hardly more than a tenth. Four-fifths of the increase of our Italian-born population was in the six States first mentioned.

NATIVES OF RUSSIA

In 1890, there were 182,644 natives of Russia in the United States; in 1900, 424,096. The following table shows the proportion gathered in half a dozen States:

	1890		1900	
	Number of Russians	Per cent. of all in U. S.	Number of Russians	Per cent. of all in U. S.
New York	58,466	32.0	165,610	39.0
Pennsylvania	17,315	9.5	50,959	12.0
Massachusetts	7,325	4.0	26,963	6.4
New Jersey	5,320	2.2	19,745	4.7
Connecticut	3,027	1.7	11,404	2.9
Illinois	8,407	4.6	28,707	6.8
TOTAL, six States.	99,860	54.0	303,388	71.8

It will be seen, therefore, that while these six States had 54 per cent. of all the natives of Russia in the country in 1890, they had 71.6 per cent. in 1900.

Of the increase during the decade, these States suffered 84.3 per cent. Nearly two-thirds of the natives of Russia, or 279,230, were found in the North Atlantic States in 1900, three-quarters of the rest, or 107,529, were in the North Central States. In 1880, the 50 principal cities of the country contained only 8967 natives of Russia. In 1890, the 50 principal cities contained 98,736. In 1900, the 50 principal cities contained 290,790.

It almost goes without saying that the occupation of an immigrant has much to do with his destination. Thus, mariners seek the seaboard; nearly one-eighth of them going to California, and one-tenth to New Eng-

land, while one-half remain in New York State. Of the miners, about one-half go to Pennsylvania, Ohio and Illinois. The tailors, mostly Jews, naturally tend to the big cities, about seven-eighths of them being destined for Massachusetts, New York, Pennsylvania and Illinois. These instances are but samples, and almost any occupation illustrates the general principle.

PART II

THE EFFECTS OF IMMIGRATION ON THE UNITED STATES

CHAPTER VI

RACIAL EFFECTS OF IMMIGRATION

A. THE IMPORTANCE OF RACE STOCK

THE results of immigration to this country have been of the greatest importance, extending in countless ways and in many directions, and affecting the fabric of society to an extent of which the average citizen little dreams. From one point of view, indeed, the history of the United States is the history of the effects of European immigration. How valuable this has been, in adding to the wealth and power of the country, everyone knows and gladly acknowledges; and it is not without a deep appreciation of the fact that we proceed to examine certain effects, especially in recent years, of which the value is less obvious; which, indeed, constitute a real and menacing danger to our institutions and organic life.

The racial effects of immigration are more far-reaching and potent than all others. The government, the state, society, industry, the political party, social and political ideals—all are concepts and conventions created by individual men; and when individuals change these change with them. Recent discoveries in biology show that in the long run heredity is far more important than environment or education; for though the latter can develop, it cannot create. They also show what can be done in a few years in altering species, and in producing new ones with qualities hitherto unknown, or unknown in combination.

At the present time, apart from education, attempts to improve race stocks are limited to two directions. The first, universally practiced, is the segregation and, to a slight extent, the elimination of the dependent and delinquent classes. Insane and dangerous criminals are more or less successfully segregated and prevented from propagation during the period of their incarceration. But against this benefit must be set the fact that our charities, and even our penal institutions, keep alive large numbers whom natural forces would once have eliminated. Epidemics which once carried off many of the best citizens also removed more of the worst; and war still removes many of the strongest. To-day the feeble, the anemic live. Furthermore, many of our prisoners and insane, detained for long periods, have had children before their segregation.

The first method of improving the people of a state is, then, segregation within its limits. The second method is segregation by refusing entrance into the nation from without. Where migration small in numbers takes place between nations of equal age, who have been long settled, this method is less important than the first. But a new nation derives its whole character and has its whole future determined by its first settlers; and when subsequent immigration takes place on a scale large in relation to the total population, equally far-reaching changes may be made in the nation's institutions and ideals. The Rt. Hon. Arthur Balfour has pointed out that our beliefs and purposes are little dependent upon logic or intellectual information. What is impressed upon two men will produce widely different results, according to the way they react towards it; and this reaction depends upon those vast, vague undercurrents of life, as Professor William James calls them, little understood, often hardly

noticed, which are largely determined by heredity. Education, imitation of others, will do much to produce outward conformity, but racial characteristics will withstand the influence of centuries.

The point is dwelt upon because, although the value of artificial selection in breeding animals, in producing seedless fruits and new grains—in fact in nearly every department of life—is now generally recognized; and although some advanced persons talk of regulating marriage with a view to the elimination of the unfit *for other purposes than mere survival;* yet most people fail to realize that in the United States, through our power to regulate immigration, we have a unique opportunity to exercise artificial selection on an enormous scale. We started with immigrants of the best stock in Europe, selected naturally by the perils of the voyage and the hardships of life in a new country. The possible danger from too careless an attitude toward the selection of race stocks for the future population of this country is thus stated in a recent article by Mr. Eliot Norton: [1]

"If one considers the American people from say 1775 to 1860, it is clear that a well-defined national character was in process of formation. What variations there were, were all of the same type, and these variations would have slowly grown less and less marked. It needs little study to see of what great value to any body of men, women and children, a national or racial type is. It furnishes a standard of conduct by which anyone can set his course. The world is a difficult place in which to live, and to establish moral standards has been one of the chief occupations of mankind. Without such standards, man feels as a mariner without a compass. Religions, rules, laws and customs are only the national character

[1] In *Annals of the American Academy of Political and Social Science,* vol. 24, p. 163 (July, 1904).

in the form of standards of conduct. Now national character can only be formed in a population which is stable. The repeated introduction into a body of men, of other men of different type or types, cannot but tend to prevent its formation. Thus the nineteen millions of immigrants that have landed have tended to break up the type which was forming, and to make the formation of any other type difficult. Every million more will only intensify this result, and the absence of a national character is a loss to every man, woman and child. It will show itself in our religions, rules of conduct, in our laws, in our customs."

In the United States we have the opportunity to try the effect of hybridization upon an enormous scale. The question as to the racial effects of immigration is not, as most people assume, a question between us and the immigrants, but between our children and grandchildren and theirs. We are trustees for the future, and with us is the decision what races and what kind of men shall inherit this country for years after we are gone.

Such being the opportunities and the dangers of a change of race-stocks, we have now to consider how far the dangers are real.

B. EFFECTS OF THE CHANGES IN THE NATIONALITY OF IMMIGRANTS [2]

Immigration may affect the races already here in two ways; first, by those whom it introduces, and second, by those whom it prevents being introduced. The second class may be still further divided into those prevented from coming to us from abroad, and the vastly more numerous and important division of those who are never born here at all because of immigration. According to

[2] For much of what follows the author is indebted to the article of Gustave Michaud, in *Century*, vol. 65, pp. 682-692, (Mar. 1903).

the census in 1900, less than one-half of our white population consists of immigrants who landed before 1835 and their descendants. Up to 1890 this part of the population was still in the majority, but since then it has been rapidly falling in importance, both from the new arrivals and the decline of the native stock. As we have seen, immigration during the colonial period and up to 1835 was almost exclusively Teutonic and Keltic. Under the classification adopted by the Immigration Bureau, the proportion of the various race divisions in the immigration of 1904 was: Slavic, 33.5 per cent.; Teutonic, 24.0 per cent.; Iberic, 22.9 per cent.; Keltic, 12.1; Mongolic, 2.5 per cent.; and all others, 4.8 per cent.[3] From this it appears that the Teutonic and Keltic immigration amounts to only a little over one-third of the total immigration.[4]

The increase in immigrants from southern and eastern Europe and the diminution in those from northern and western Europe, may also be expressed in terms

[3] This classification is by no means ideal. "Slavic" includes Hebrews, and "Keltic" includes peoples as diverse as Scotch, French, and Northern Italians. See Dr. K. H. Claghorn, in *Outlook*, vol. 13, p. 453 (Feb. 4, 1905); W. Z. Ripley, *Races of Europe*.

[4] The ordinary classification of the immigration reports are those of nationality and of "race," the latter being chiefly based on language. As Dr. Michaud has pointed out, the language and nationality of an immigrant chiefly indicate acquired habits and characteristics, while a true racial classification tells of the inherited tendencies which are likely to be developed in his descendants. Most ethnologists are agreed upon a three-fold division of the Caucasian race, namely, into the Baltic race, occupying Scandinavia, Great Britain, northern Germany and parts of France, Central Europe and Russia; the Alpine, occupying the mountain-ranges of Central and Southern Europe and some of the plateaus of Western Asia; and the Mediterranean, formerly widely spread, but to-day occupying Southern Europe. The Baltic race is probably descended from the early Medi-

of races, as follows. For the period from 1835 to 1890, the Baltic furnished 87 per cent., the Alpine 10 per cent., and the Mediterranean 3 per cent. of the total immigration. For the decade from 1890 to 1900, the Baltic furnished 53 per cent., the Alpine 32 per cent., and the Mediterranean 15 per cent. For the two fiscal years 1901 and 1902, the Baltic furnished 35 per cent., the Alpine 42 per cent., and the Mediterranean 23 per cent. It therefore appears that during 1901-2, as compared with 1835-90, the Mediterranean has increased 7 times, the Alpine over 4 times, while the Baltic has fallen to less than one-half. It also appears that, since 1900, the Baltic has been losing the commanding position in the total immigration, which has been assumed by the Alpine; and that in recent years the Mediterranean has been increasing faster than the Alpine, and is likely to increase still faster in the future. It is also evident that if the diminution in the Baltic immi-

terranean, and its energy and resourcefulness may be the result of natural selection—in high latitudes. It represents, therefore, a picked stock distinguished by many valuable qualities. These people have long and narrow skulls, blue eyes, and light hair; they are fond of work, enterprising and ingenious, with a high regard for neatness and order. They are also distinguished for courage and have generally made good soldiers. The Alpine race has a broad and short skull, grey eyes and brown hair. They vary in height, but are usually solid and of heavy weight. They are not so given to action as the Baltic race, and are not artistic like the Mediterranean race, but are fond of intellectual pursuits and of philosophy. On account of these latter characteristics they are more individualistic and do not co-operate practically in civic matters as well as those of the Baltic race. In their living and dress they affect simplicity and are not as fond of fashion as their northern neighbors. The Mediterranean race are dolichocephalic like the Baltic, but are short and slender with dark hair and eyes. They are enthusiastic, fond of art and music, and distinguished by courtesy and fine manners.

gration continues at the present rate, it will soon cease to be a factor of any importance. As has been pointed out elsewhere, recent immigration is not of the same quality it once was. This is probably true of the immigrants from all races; yet this factor works unequally because the less desirable elements of the Baltic race are, on the whole, nearer the average of their race than the lower classes of the Alpine and Mediterranean. Consequently, the increase in immigration of the latter nationalities will probably mean, not merely a change of race but a change in average quality. This process, moreover, has a cumulative effect; for immigrants who come from a low order of society, no matter of what race, tend to deter the more desirable of the same race from attempting to compete with them in a new country.

Apart from this deterioration, the most likely effects of the change in immigration will be as follows: the skull will become more of the brachio-cephalic type, the average stature will be lower and the average complexion will be darker. Dr. Michaud states that these changes are already taking place on a large scale in New York, Pennsylvania, and especially in Massachusetts. He also makes the following prediction:[5]

"Mental changes keep pace with these, and will be most noticeable after the descendants of our present immigrants have identified themselves a degree with American politics, literature, science and art. The most conclusive of these, perhaps, will be a decline of that enterprising spirit which has been called the American push. Both the Alpine and the Mediterranean—the first more than the latter—will contribute to bring about that undesirable result. A restless mind, ever on the watch for opportunities and improvements, is characteristic of the British people, but it is found to a higher degree

[5] In *Century*, vol. 65, p. 688 (Mar. 1903).

among the Baltic race than among the European branches of the same race. The artificial selection practised at the time of the emigration of primitive Baltic stock by the circumstances attending that emigration is the cause of that difference which manifests itself to-day in a thousand different ways. During the 16th, 17th, 18th and part of the 19th centuries, the voyage from Europe to America was long, perilous, and had many sufferings in store for those who undertook it. As a result, the average of those who chose to depart were gifted with a more enterprising spirit than the average of those who chose to remain. That the newcomers cannot possess that spirit to the same degree results from two facts; they do not belong to the Baltic race and the voyage from Europe to America is no longer fraught with danger and uncertainty."

On the other hand, Dr. Michaud thinks that stronger family ties, a lessening of the pursuit of wealth, and a greater love for abstract knowledge will come with the Alpine immigrants of the future; and that the Mediterranean stock will be likely to increase our love of art and our appreciation of the beautiful in all its forms. It should not be forgotten, however, that these desirable qualities can be obtained by admitting only the best specimens of the newer races, and that to obtain them all it is quite unnecessary to subject the nation to the burden of delinquents, dependents and the unprogressive elements.

When we turn to the second important racial effect of immigration, its power to prevent new arrivals—we touch a consideration of overwhelming significance, for this alters not merely the quality of material to be assimilated, but the very power of assimilation itself. Attention has already been drawn to the fact that the immigration of low types has a tendency to prevent the immigration of better from the same or other races. It is well known

that after immigration from southern and eastern Europe began to be appreciable in 1880, large numbers of German emigrants were diverted to South America and other places, and that British emigrants began to seek new homes in Canada, Australia and South Africa. Inquiry confirms the belief that the more enterprising and desirable emigrants are unwilling to go to a country where they are obliged to compete with the lowest grade of labor. As soon as the displacement of the Germans and Irish in the mining regions of Pennsylvania became known in Europe, it tended to check the emigration of their countrymen to those regions. It is still cheaper to go to the United States than to many places now more eagerly sought by the better class of emigrants. But the additional price is paid because the emigrants know that their condition and prospects will be better in a land where the padrone system and the sweat shop are less largely developed. Streams of emigration, long directed to any land tend to wear channels in which still more emigration will flow.

The most important of all the effects of immigration, however, is that of preventing additions to the population from our own stock. This point, until recently, has received little attention. General Francis A. Walker, superintendent of the tenth and eleventh censuses of the United States, was one of the first to call attention to its danger. He says:[6]

"Space would not serve for the full statistical demonstration of the proposition that immigration, during the

[6] *Discussions in Economics and Statistics*, vol. 2, pp. 440-441. Cp. Sydney G. Fisher, in *Popular Science Monthly*, vol. 48, pp. 244-255 (Dec. 1895); Prof. John R. Commons, in *Chautauquan*, vol. 39, pp. 217-218 (May, 1904); *Census Bulletin*, No. 22 (1905).

period from 1830 to 1860, instead of constituting a net re-enforcement to the population, simply resulted in a replacement of native by foreign elements; but I believe it would be practicable to prove this to the satisfaction of every fair-minded man. Let it suffice to state a few matters which are beyond controversy.

"The population of 1790 was almost wholly a native and wholly an acclimated population, and for forty years afterwards immigration remained at so low a rate as to be practically of no account; yet the people of the United States increased in numbers more rapidly than has ever elsewhere been known, in regard to any considerable population, over any considerable area, through any considerable period of time. Between 1790 and 1830 the nation grew from less than 4,000,000 to nearly 13,000,000,—an increase, in fact, of 227 per cent., a rate unparalleled in history. That increase was wholly out of the loins of our own people. Each decade had seen a growth of between 33 and 38 per cent., a doubling once in twenty-two or twenty-three years. During the thirty years which followed 1830, the conditions of life and reproduction in the United States were not less, but more, favorable than in the preceding period. Important changes relating to the practice of medicine, the food and clothing of people, the general habits of living, took place, which were of a nature to increase the vitality and reproductive capability of the American people. Throughout this period, the standard of height, of weight, and of chest measurement was steadily rising, with the result that, of the men of all nationalities in the giant army formed to suppress the slave-holders' rebellion, the native American bore off the palm in respect to physical stature. The decline of this rate of increase among Americans began at the very time when foreign immigration first assumed considerable proportions; it showed itself first and in the highest degree in those regions, in those States, and in the very counties into which the foreigners most largely entered. It proceeded for a long time in such a way as absolutely to offset the foreign arrivals, so that in 1850, in spite of the incoming of two and a half millions of foreigners during the thirty

years, our population differed by less than ten thousand from the population which would have existed, according to the previous rate of increase, without re-enforcement from abroad. These three facts, which might be shown by tables and diagrams, constitute a statistical demonstration such as is rarely attained in regard to the operation of any social or economic force."

Of course the falling of a birth rate may be due to many causes; but, in general, it is the result of the desire for the "concentration of advantages." In an old country, where pressure of population is felt and the wealth of the country is limited—as in England, France and Germany—concentration of advantages may be necessary to maintain the social status of families in the condition to which they have been accustomed. In England this has been accomplished by primo-geniture and the practice of younger members of families to seek their fortunes in other lands. Hence—although the birth rate has not fallen as much as it otherwise would—the pressure of population is relieved, and wealth, sufficient to support small families, is conserved and handed from one generation to another. In France, a country never characterized by great colonization, the same result has been attained through voluntary limitation of the size of families; an idea that has been carried to so great an extent that the population, as is well known, has remained at times very largely stationary. The United States, on the other hand, has always been a country of immense natural resources, which, even at the present time, is far from completely exploited, and where the opportunities for acquisition of wealth have been unparalleled. There have never been in the United States the same reasons for accomplishing the "concentration of advantages," by means of an artificial lowering of the birth rate, which have obtained in European countries.

In the United States the controlling reason which reduced the birth rate seems to have been the social one. Consider for a moment the typical town of one hundred years ago. The boys of the village drove the omnibus, tended the store, hired themselves for labor in the fields. Everybody knew everybody else, and though the judge, the minister and the doctor, owing to their better education, had a certain pre-eminence, society in general, was comparatively homogeneous. But from the moment immigration began, this condition was broken in upon. The earlier immigrants from Ireland and Germany, who came in the forties to escape famine and political oppression, were, for the most part, unskilled and incapable of any but the simpler kinds of manual labor. At first they were regarded as curiosities in the towns where they settled. They went more or less by themselves, and did not enter into the existing clubs and amusements. As the factory system developed, and machinery made possible the employment of a grade of labor far inferior in education and skill to the old handiworker of the crafts, the immigrants went largely into the factories. Poor, they lived in the cheapest locations and in the most frugal way. Gradually the natives withdrew from social contact with them; the girls disliked to work with them in the factory or in domestic service, and the boys were unwilling to be with them in the fields and the mills. In most cases this was not a matter of mere race prejudice; it arose from the fact that the intelligence and standards of the newcomers were different from and inferior to those of the natives. The result of this dislike was, necessarily, that the natives and their children wished to confine themselves to occupations which the immigrants had not yet invaded; and these occupations were, of course, those requiring more capital either in money or in education.

Girls no longer went out to service, but took up book-keeping or work in certain kinds of stores; the boys were sent to high school, or, if possible, to college. To fit children for these, however, required capital, and this involved some method for the further concentration of advantages. As the country was not overcrowded, and the material resources still remained as great as those of any other in the world, nothing was to be gained by emigration—although it is probable that not a little of the movement from the Eastern to the Western States was stimulated by the arrival of new immigrants on the Atlantic border. In most cases, however, emigration was not practicable; and the easiest course in order to obtain special advantages was for the family to limit its numbers. The result was that the natives did not marry, or married later; and in case of marriage, voluntarily limited the size of their families.[7] In the latter part of the nineteenth century this position was further accelerated by the movement toward the cities, in which the young men played the leading part, leaving the girls at home upon the farms, and diminishing their opportunity for marriage.

That this is no flight of the imagination, but an actual description of what has happened and is still happening to-day, is testified to by many students of the question. The writer has personally inquired as to the cause of the

[7] *Census Bulletin*, No. 22, p. 17 (1905), gives the number of white children under 5 years of age to 1,000 white females 15 to 49 years of age, for the Continental United States as follows:

1830	781
1840	744
1850	613
1860	627
1870	562
1880	537
1890	473
1900	465

small families in various parts of our Eastern States, and has been repeatedly told by parents that this social reason was the important one in their own case. Dr. Roberts and Dr. Warne report the same thing in the mining regions of Pennsylvania. Confirmation of this explanation of the falling of the birth rate, is found in the fact that the same cause is tending to operate in the case of the earlier Teutonic and Keltic immigrants, in order to enable them to keep their position as against the newer Iberic and Slavic immigrants. Of course, in more recent years luxury has increased, and the desire for material advantages probably plays a larger part in this process to-day than it did at the time of the first considerable immigration. In other words: there is to-day not merely the desire to escape from contact with the lower social class, but to ape the habits and customs of a higher social class; but in both cases the result has come about through the disturbance of the original homogeneity by the introduction of different social elements.[8]

A very thorough study of the native birth rate has been

[8] Gen. Walker says, *Discussions in Economics and Statistics*, vol. 2, pp. 417-426:

"The American shrank from the industrial competition thus thrust upon him. He was unwilling himself to engage in the lowest kind of day labor with these new elements of population; he was even more unwilling to bring sons and daughters into the world to enter into that competition. . . . The great fact protrudes through all the subsequent history of our population that the more rapidly foreigners came into the United States, the smaller was the rate of increase, not merely among the native population, but throughout the population of the country as a whole, including the foreigners. . . . If the foregoing views are true, or contain any considerable degree of truth, foreign immigration into this country has, from the time it assumed large proportions, amounted not to a re-enforcement of

made by R. R. Kuczynski for the State of Massachusetts.[9] He finds that the marriage rate among the natives is much smaller than among the foreign-born for all ages up to 45; that the proportion of married natives is smaller than among the foreign-born, especially at the most fruitful periods of life; and that the foreign-born have a larger number of children.[10] His conclusion is that probably the native population cannot hold its own, and that it seems to be dying out. It has also been

our population, but to a replacement of native by foreign stock."

The Industrial Commission says also in its report, vol. 15, p. 277: "It is a hasty assumption which holds that immigration during the nineteenth century has increased the total population."

[9] *Quarterly Journal of Economics*, vol. 16, pp. 1-36 (Nov. 1901), and pp. 141-186 (Feb. 1902).

[10] The marriage rate of unmarried males 15 years and older is: native-born 47.7; foreign-born 68.9; and of females, native-born 40; foreign-born 56.8. Among the natives 3-15 of the married women have never had children, as compared with 2-15 among the foreigners. The birth rate among married women of child-bearing age is: 142.5 per thousand for natives, and 251.8 for the foreign-born. For the period 1885-1897 the marriage rate and the proportion of married women decreased with natives and increased with foreigners. The average number of children born to every foreign-born married woman at the census of 1885 was 2-3 higher than for the natives. Among the German women it was 4-7 higher than for the natives; among the Irish women 6-7 higher; and among the French-Canadian women twice as high. The average number of children living for every married woman was 3-5 higher among the foreign-born than among the natives. It was more than 1-2 higher for the women born in Germany; 2-3 higher for the Irish women, and nearly twice as high for the French-Canadians. Taken with the fact that the proportion of the single among adult natives was over 6-15, and among the foreign-born, less than 5-15, while it was not much less than 1-2 among natives in Massachusetts, only 1-4 for natives in other New England States, and only 2-11 for the women born in Germany,

stated [11] that at the present time the excess of deaths over births in New England for those whose mothers were native-born is 1.5 per 1000 population. This, however, is partly due to the fact that many of the native stock have moved away and bred outside of New England, leaving the rural parts of the country peopled by the old and quite young. The same writer also is of the opinion that, comparing the native-born with the Irish, the average annual excess of births over deaths during the ten years following 1890, for those born here of Irish mothers, was 11.2 per thousand; [12] for those born of native American mothers, 16 per thousand.

The foregoing conclusions are reinforced by a recent investigation by Professor Walter F. Willcox made for the Census Bureau.[13] He finds a marked falling of the general birth rate in this country, especially in the North

this makes the adult native women in Massachusetts appear even less prolific. It appears also that, in the period from 1883 to 1897, the marriage rate of the foreign-born adult men was 1-9 more, and that of the women 3-10 more, than that of the adult natives. The birth rate during the same period for the adult foreign-born was more than twice as high as that for the natives.

[11] Letter of Dr. E. E. Cornwall, *New York Daily Tribune*, Mar. 30, 1903.

[12] He also says that the average age at death of native whites born of native American mothers was 36 years, and of native whites of foreign mothers, 15 years, showing that mortality is greater among children of the foreign-born than among those of the natives. Increased sanitation and attention to public hygiene, especially in the large cities, are doing something to offset the conditions causing infant mortality in those places. If this betterment should increase on a large scale, the advantage of the native population owing to increased infant mortality among the descendants of the foreign-born, would be largely taken away, and the higher birth rate of the foreign-born would tend to give that element increasing advantage.

[13] *Census Bulletin*, No. 22 (1905).

and East, and he notes the same large difference in birth rate in favor of the foreign-born. Thus, in 1900, the number of native white children under five years of age, in proportion to 1000 females 15 to 44 years of age, was as follows: for cities of 25,000 or more inhabitants, native mothers 296, foreign mothers 612; for smaller cities and the country districts, native mothers 522, foreign mothers 841.[14]

That the native birth rate is falling is also confirmed by the report of the president of Harvard College for 1902.[15] This shows that out of 881 graduates of the classes of 1872-1877 inclusive, 634 were married and had surviving 1262 children. In other words, 28 per cent. of the members of these classes were unmarried in 1902, and those who were married had, on the average, only two surviving children; so that the married pairs did no more than just reproduce themselves. In part no doubt this is due to the period of preparation by educated young men for professional occupations, a fact which causes them to marry at twenty-nine or thirty when they should marry at twenty-five, and as young men of the same social class, a hundred years ago, would have married at twenty. Considering the average number of children for the graduates of other colleges we find a progressive decrease. Thus the average size of families of graduates of Middlebury College in the period 1803-1807 was 5.6. From this time there was a steady diminution to 2.3 for the period 1870-1874, and 1.8 for the period 1875-1879. A similar result is observed in the cases of Wesleyan University and New York University,

[14] *Census Bulletin,* No. 22, p. 24. This also shows a decrease in children between 1890 and 1900 of 13 per thousand for the native mothers and an increase of 44 for the foreign mothers.

[15] See *Harvard Graduates' Magazine,* vol. 11, p. 355, (Mar. 1903).

in each of which the average fell from 4 or over, in the period 1830-1850, to about 2½ for the period 1860-1870.[16]

In Boston,[17] it appears that the negroes and native whites are failing to keep up their numbers, the former because of a high death rate, and the latter on account of a low birth rate. But the foreign born show an increasing birth rate, which varies with different nationalities, and is highest for the more recently arrived. It appears also that practically the whole of the native population of Massachusetts is in the same position as the college graduates above referred to; and that the decrease in birth rate is characteristic of the social classes which constitute the older part of the population.

It is only fair to state in this connection that the explanation which attributes this result to voluntary restriction has not passed unchallenged. Herbert Spencer, for example, has advanced the view that education diminishes actual fertility. But though this be so, the great majority of children would be produced by the more fertile individuals, and, on ordinary principles of inheritance, would tend themselves to continue fertile and to produce large families; and the class who were

[16] Edward L. Thorndike, "The Decrease in Size of American Families," in *Popular Science Monthly*, vol. 63, p. 64 (May, 1903). Investigation in New York City has disclosed the fact that there are large numbers of apartment houses where large families are not received. Six real estate agents controlling many flats renting for from $50 to $100 per month refuse to accept tenants with more than two children. In one house containing suites renting from $400 to $800 there were sixty families and no children; in another there were forty families and but six children; in another, containing apartments for 24 families, there were but three children. Out of twenty-two apartment houses containing 485 families there were but 54 children.

[17] Dr. F. A. Bushee, in *Popular Science Monthly*, vol. 63, pp. 355-363 (Aug. 1903).

not fertile, or who believed in voluntary restriction, would tend to die out, if not recruited through converts to restriction from the class naturally fertile. It is difficult to suppose that the amount of education in one or two generations would be sufficient to affect general fertility, and it would seem, therefore, that the change in birth rate must be due to a desire to concentrate advantages, either by increasing the period of time devoted to education and accumulation of wealth, or to voluntary restriction of offspring.

It has also been suggested that races, like individuals, have a natural period of vigor, followed by a decline and extinction; but if this hypothesis were true, it would require a considerable period for its demonstration. In the case of stock of English descent in the United States, a general decay of race seems to be negatived by the larger birth rates in the newer parts of the country to which the native stock of New England, for example, has emigrated.[18] In the Southern States, which have received but little foreign immigration, the birth rate remained substantially unchanged during the last century.

That diminished fertility is not the cause of small families in the East seems further to be supported by the fact that in many of the older countries of Europe where, owing to the simplicity of peasant life and perhaps to firmly fixed class distinctions, social ambition is a less potent factor, the birth rate has continued with full vigor. Also because in the countries from which there has been a considerable emigration, the birth rate

[18] In the West, while the patriarchal families of ten and twelve children are no longer common, families of four or five children among the native Americans are. Prof. T. N. Carver, in *World's Work*, p. 4234 (Dec. 1903).

immediately increases to such a degree that the pressure of population is soon restored to its former condition.[19]

William Farr, an eminent student of vital statistics, observed many years ago that, as in the case of England, emigration increased the birth rates in the countries from which it took place. Although immigration has not taken place on the continent of Europe to the same extent as in this country, it could probably be shown that it has diminished the birth rate in the countries to which it moves, both among the natives already there and among the emigrating population.

That voluntary restriction induced by immigration is, in large part, the true explanation of these phenomena has also been expressed by M. Arsène DuMont, who has stated the law in the following proposition: that population increases inversely with "social capillarity." In other words, where, in a community, there are groups with different social standards, prudential restraint is exercised by the group or groups having the social standard to maintain. The lower groups, oblivious to such considerations, multiply both from pure indifference to the outcome, and from the economic gain arising from an increase in the size of the family. This principle of social capillarity is an element often overlooked in the ordinary statement of the law of population, that the increase varies inversely to the density.[20] For although density exercises, no doubt, an economic check, even where the population is homogeneous, the social factor

[19] A table showing the birth rates for the various elements of population in Massachusetts and Rhode Island, as well as for the whole population of those States and for certain foreign countries, will be found in an Appendix. See also R. R. Kuczynski, in Boston *Herald*, Mar. 31, 1902.

[20] A. H. Hyde, in *Popular Science Monthly*, vol. 52, p. 389 (Jan. 1898).

is almost as powerful if not more powerful than the economic factor; and this is not taken into account in speaking merely of density.

As has already been indicated, the same tendencies to artificial restriction of births are beginning to operate both among the earlier and more recent[21] immigrants. Inasmuch as social and educational considerations are weaker among the more recent arrivals, the change in sentiment resulting in restriction of families is not likely to operate to a very large extent for some time to come. That the foreign born in the United States do not increase faster, is doubtless due largely to the fact that the children of foreign-born are, after a time, reckoned as natives in the censuses; to the very considerable emigration which continually goes on, especially among "birds of passage;" and to the large infant mortality arising from the very unfavorable conditions in which many of the newer arrivals live.

No one, of course, can contend for a moment that the United States or any part of it, with some exceptions in large cities, has as large a population as it could support. The densest population in parts of Massachusetts, Pennsylvania and New Jersey is about 90 per square mile. In New York, Pennsylvania, Michigan, Ohio, Indiana, Massachusetts, Connecticut, Illinois and Kentucky the average is between 45 and 90 individuals per square mile. When we compare this with certain foreign countries we see the immense difference; thus, in 1890, the Netherlands had 359 inhabitants per square mile; Great Britain,

[21] See Dr. F. A. Bushee, "Ethnic Factors in the Population of Boston," *Publications of the American Economic Association*, 3d series, p. 4 (May, 1903); Peter Roberts, *Anthracite Coal Communities*, pp. 74 ff. For a denial of Dr. Bushee's statement that the Irish are tending to die out, see *The Republic* (Boston), July 25, 1903.

311; Germany, 234; France, 187, and China, 295.[22] The problem, then, is not one of numbers, but of quality; not of mere additions, but of a lowering of average value; and as such it is more fundamental than any mere question of quantitative selection.

[22] S. G. Croswell, in *North American Review,* vol. 164, p 528 (May, 1897). Cp. Edward Atkinson, "Incalculable Room for Immigrants," in *Forum,* vol. 13, p. 360 (May, 1892).

CHAPTER VII

ECONOMIC EFFECTS OF IMMIGRATION

It is impossible to consider the economic effects of immigration entirely apart from the racial, social, and political effects. An immigrant, because he is a human being, touches the life in the country in which he makes his new home on many sides, in this respect differing from inanimate merchandise. The economic effects produced by certain classes of immigrants may be temporarily disastrous, while, upon the whole, these same immigrants may add to the strength of social and political institutions, and may contribute to the production of a more valuable breeding stock. On the other hand, immigrants may be a definite and incontrovertible gain to the country from an economic point of view, and yet their presence may cause social degradation, political dangers and racial deterioration. The efficiency of labor itself depends to a considerable degree not only upon the physical, but also on the mental condition of the worker, and these in turn depend upon all those elements entering into the condition of the working classes, housing, health, home life, and the like.[1]

A. DEMAND FOR LABOR

The economic effect of immigration most discussed, is that upon the labor market. It is alleged that immigration produces at certain periods an over-supply of

[1] Cp. W. H. Mallock, *Aristocracy and Evolution.*

labor, and causes a fall in the rates of wages and the standard of living of the workingmen. This matter can be tested by the demand for labor, by the evidence of employers and workmen as to competition, and by the numbers of the unemployed.

Except from certain parts of the South and West, which seek farm laborers who have families, and who bring some money and intend a permanent settlement, there is practically no demand in this country for immigrant labor.[2] This was brought out by the Immigration Investigating Commission in 1895, and by the replies received from the Governors and Commissioners of Labor of the various States in response to inquiries made by the Immigration Restriction League in 1904 and 1905.[3] There is, and there always has been, a demand for the cheapest labor on the part of certain railroads, mine owners and contractors. But these view the matter solely from the standpoint of the profits of their business, and their importation of cheap labor led to the passage of the contract labor laws.

It is frequently said in discussions of this subject that the foreigners have come to do work which the natives were no longer willing to attempt, and that this country has been fortunate to have plenty of cheap labor for employments of the lower sort. The argument, however, is based upon a fallacy. As long as society was homogeneous, Americans were ready to do all kinds of work. Men like Emerson performed much manual labor in addition to their intellectual pursuit, and the

[2] As to the Southern feeling on this question see *Manufacturers' Record* (Baltimore), vol. 48, pp. 5-13 (July 20, 1905), and pp. 33, 36 (July 27, 1905); R. De C. Ward, "Immigration and the South," in *Atlantic Monthly*, vol. 96, pp. 611-616 (Nov. 1905).

[3] The nature of these replies is discussed in chapter xiv. *infra.*

American farmer of sixty years ago was a jack of all trades. So long as manual labor was honorable socially, large families were an economic benefit instead of an economic burden, and all the manual laborers needed could have been and would have been produced by the increase of the native stock. Benjamin Franklin stated that the average American family in 1700 was eight. He himself was the next to the youngest child in a family of seventeen. Cotton Mather had twenty children. While men were needed to till the fields and to fight the Indians, large families were the rule. The fallacy in question is further exposed by the fact that the Italians coming in at a later period have displaced to a large extent the Irish who were actually performing manual labor, and the same is true of the displacement of the "English" by the "Slav" labor in the Pennsylvania mining regions. In these cases the laborers first in the field were anxious to work, and bitterly objected to being deprived of their jobs by the newcomers, who, as they were without families and with a far inferior standard of living, could accept lower wages. The newer immigration is causing the same reduction of the birth rate among the earlier immigrants, which the latter caused among the native Americans.

B. EFFECT ON WAGES AND STANDARD OF LIVING

So many factors enter into the rate of wages that it is difficult to express in statistical form the results of immigration upon the labor market. For example, in times of prosperity, wages tend to advance; and this advance is followed, as has been shown above, by an increase of immigration. Increased immigration tends to promote competition, and so far tends to check the rise of wages; but it is, of course, impossible to tell in a given

case whether wages would have gone still higher if increased immigration had not occurred. On the other hand, when prosperity diminishes, wages naturally tend to fall, and this is followed, though after a not inconsiderable interval, by a diminution of immigration. Hence, it is difficult to determine how much of the fall of wages is due to the previous large immigration, and how much to the diminution of the fund out of which wages are paid. The problem is also complicated by the large numbers of immigrants who are willing to work for less than the average wage. The number of persons out of employment within a given time needs to be supplemented by statistics of the wages actually paid in the different industries and to the different classes of workers.

It is, however, the almost universal belief of the workers themselves, at least so far as they are organized, that immigration tends to lower wages and to lower the standard of living. This was the opinion of the Massachusetts Commission on the Unemployed in its report in 1895.[4] It is also shown by the forcible and con-

[4] "It appears to us that the evil of non-employment is in a considerable measure due to ill responsible, ill advised and ill adapted immigration. It is found that not only in Boston but in many of the cities of similar rank in the United States, a large proportion of those who needed help during the emergency of last winter were immigrants who had recently arrived. It is impossible to introduce any plan of positive and immediate aid for the unemployed of this country that does not mean doing the same for the unemployed of Europe. Under present conditions, the United States is attempting to solve the question of unemployment for Europe as well as for itself. The immigrants who are now coming to this country are, for the most part, unskilled. This section of the country has an abundance of such labor, even in normal times; and it cannot be said that this immigration is due solely to the working of the economic law of supply and

tinued demand of organized labor for further restriction of immigration. Of the 5082 petitions for restriction sent to Congress in 1901-2, a large proportion came from the labor unions of the country. The American Federation of Labor and likewise the Knights of Labor have repeatedly placed themselves on record in favor of further restriction;[5] and the American Federation of Labor at its convention in Nashville in December, 1897, by a vote of 1858 to 352, pronounced itself in favor of checking the influx of cheap foreign labor, and of an illiteracy test for immigrants.

The labor unions are chiefly composed of skilled laborers, and these are the ones who suffer most in competition with the newcomers. In times of commercial depression, many skilled workmen are obliged, temporarily, to take up unskilled employments; and any large influx of unskilled laborers increases the number of those with whom the former must then compete. In times of commercial prosperity the skilled workmen are ex-

demand of labor. . . . Much of the recent immigration is due, not to a real and permanent demand for labor in this part of the country, but rather to depressed and abnormal conditions abroad, to governmental persecutions and to irresponsible and inaccurate representations in Europe of industrial conditions in this country. . . . A large number of these immigrants also are illiterate, and consequently cannot rise into the ranks of skilled labor. They have become congested in our large cities, and not only find themselves repeatedly in need of relief, but also depriving the rank and file of our more permanently established industrial classes of opportunity to work at unskilled employment when there is a temporary interruption in skilled occupations."

[5] In a letter to Representative Watson in 1902, Mr. Gompers, President of the American Federation of Labor, said:

"The organized workers of the country feel that the existing immigration laws, while not without their value, are of trifling effect compared with the needs and the just demand of American labor. . . . The strength of this country is in the intelligence

posed to the competition not only of the skilled aliens, but even of the unskilled, and for the following reason:

The introduction of machinery has, to a large extent, done away with the necessity for any considerable skill on the part of operatives, as well as actually diminished the number of operatives required for a given output. The spinning and weaving industries, for example, formerly demanded not a little technical skill. At the present time, owing to changes in the machines employed, a relatively unskilled worker can produce a far larger output in less time. The unskilled immigration from Europe and Canada, crowding into the mills and factories in this country, has displaced labor far more skilled, or at any rate, far more intelligent. In New England, the Irish displaced the native Americans; they in their turn were displaced by the French Canadians, who are now to some extent being themselves displaced by Syrians, Armenians and other recent immigrants. The same process has occurred in the mining regions. Originally most of the workers were British, Irish and

and the prosperity of our working people. But both the intelligence and the prosperity of our working people are endangered by the present immigration. Cheap labor, ignorant labor, takes our jobs and cuts our wages. The fittest survive; that is, those that fit the conditions best, but it is the economically weak, not the economically strong, that fit the conditions of the labor market. They fit best because they can be got to work cheapest. Women and children drive out men, unless either law or labor organizations stop it. In just the same way the Chinamen and others drive out the American, the German, the Irishman. . . . A fall in wages or a relative fall of wages makes the workers unable to buy as large a share as before of the goods they produce. This hastens the time when over-production or underconsumption will show itself. That means hard times; and when hard times come, the mass of immigrants that prosperity attracted, will be here to increase the burden of the unemployed."

German. To-day in the lower grades of work they are very largely "Slav," and the former miners either occupy the lower grades of work, or have become policemen or operatives, or have been crowded out entirely, and have gone elsewhere. The standard of living of these mine laborers is very different from that of the earlier immigrants.[6] The Special Agent of the Department of Agriculture, in testifying before the Industrial Commission, said that in the mining regions of Pennsylvania, in 1897, the compulsory education law was a dead letter. The children were not in the schools, but were mostly in the mines working as helpers, pickers, and the like. Many of the mothers also were working, leaving their children unattended under the shade of the trees. Overcrowding was the rule; in one case twenty miners occupied one small shanty. Sanitation did not exist. The Irish and Welsh miners, who in 1884 were a con-

[6] Peter Roberts, *Anthracite Coal Communities,* chapters 1, 2 and 4; Henry Rood, "The Mine Laborers in Pennsylvania," in *Forum,* vol. 14, pp. 110-122 (Sept. 1892). The latter says, p. 115:

"When a stranger visits the anthracite regions he is filled with sympathy for the poor Italian and the Slav. He considers the American resident heartless in the extreme. He is amazed at the way the foreigners are regarded. But a single year spent in that land will show him the truth, no matter how tender hearted he is. He will then know that disgust should take the place of surprise. He sees a thousand idle Americans, and a like number of foreigners slaving for eighty or ninety cents a day. He sees the Americans sending their children to school, supporting churches, living in decent houses, trying to be cleanly, and to wear presentable clothing. He also sees the scum of Europe taking the place of the former, content to swarm in shanties like hogs, to contract scurvy by a steady diet of the cheapest salt pork, to suffer sore eyes and bodies rather than to buy a towel and washtub, to endure typhoid fever rather than undergo the expense of the most primitive sanitary apparatus."

tented class of people living in clean dwellings, had been unable to withstand the competition of the newcomers, and had gone west to where the competition was not so strong. The agent stated also that the rising generation of Jews, Italians and Hungarians is likely to live for the most part in the same conditions as their parents, and to remain unskilled laborers.[7]

Of course, after a time, as Dr. Roberts points out, the Slav immigrants who have been in the mining regions for some time, tend to raise their standard of living; but this process is slow, and the benefit is largely neutralized by the continual influx of those whose standard is the lowest. It was to better just these conditions that we passed the numerous factory acts now on the statute books; restricted the hours of labor; regulated the employment of women and children; and adopted compulsory education for children under a certain age. These improvements are largely neutralized by the immigration of aliens willing to work for a lower wage than the standard of this country.

Under present conditions there is a constant struggle to maintain our standard of living, with all that it implies. General Francis A. Walker expressed this danger when he said that immigration of the lowest class "will not be permanently stopped so long as any difference of *economic level* exists between our population and that of the most degraded communities abroad." The wages of agricultural laborers outside of harvest time in the United States, except in the South, range from $1.25 to $1.50 a day. In England they are $0.50 a day; in Italy, $0.16 to $0.28; in Russia and Austria-Hungary, $0.30. The cost of living in Europe is, to be sure,

[7] *Report of the Industrial Commission*, vol. 15, pp. 192-196, 201.

also less; it has been estimated as 30 or 40 per cent. of that in the United States. But, taking Italy as an example, it is said that wages in the United States are five times as high, and the cost of living three times as high. It is asserted that a foreign laborer sooner or later finds that he must raise his standard of living, must, for example, eat meat, to fulfill the more exacting standard of work in this country, and keep the pace with other laborers. But in many occupations where there is no standard wage and no effective labor organization, an employer can obtain laborers at the lowest rates, and he often finds it to his advantage to employ more men at a lower rate rather than fewer men at a higher rate. The Italian laborer in a trench, who lives largely on stale bread and beer, cannot do as much work as an American, an Irishman, or a German, who eats meat; but he will do a good deal more than half as much work on half as much wages, and many recently arrived immigrants are only too ready to work for a low wage and to keep their standard of living as close to that which they have previously followed as possible.

The same influx of low-grade labor and the development of machinery, acting in combination, produce the same tendencies in the farming regions as in the mines and the factories. Dr. True, of the Department of Agriculture, states that about 2,000,000 men, or 6,000,000 persons in all, gave up farming and went to join the toilers in our cities between 1870 and 1890. This tendency to seek the cities will be considered again hereafter,[8] but it may be mentioned in this place as one of the principal effects of immigration upon labor. It has been explained by many as the result of the monotonous conditions of the country and the greater pleasures and

[8] Chapter viii., E.

comforts in the town. In regard to this view, Dr. True says:

"Lately, however, a few students of modern life have come to see and to say that, while present industrial conditions continue, the movement of populations to cities will continue. The fact is that, broadly speaking, men leave the farms because they are not needed there. . . . A smaller number of men working in our fields turn out a much greater product than the greater number of laborers could possibly secure in olden times. . . . For a time in this country cheap land, superficial methods of cultivation, rapid development of farm machinery, and the swift increase of population engaged in mining and manufacturing enabled our farmers to extend their operations with profit, and to give employment to thousands of new men. But gradually, and more rapidly within the past twenty-five years, invention has gained the mastery in agriculture as in other arts. The brain of man has triumphed over his hand, here as elsewhere. . . . Fewer workers per acre are required. The horse or the machine, steam or electricity, has taken the place of the boy or the man. Make farm life never so attractive, and there will be but little difference. There are more birds in the nest than the parents can take care of. . . . It is not love of the town so much as necessity to earn a livelihood off the farm which drives boys to the town and makes them competitors in the great industrial struggles at the centres of population.[9]

In the Corn Belt, for example, although everybody works, the development in machinery has been such that a scarcity of labor is felt only in a very short period of the year. Professor Carver, who has recently visited that region, says:

"Riding plows and cultivators, disk harrows and corn harvesters, as well as twine binders and hay stackers, so reduce the amount of muscular strength needed that a

[9] *Arena*, vol. 17, pp. 538-540 (Mar. 1897).

boy ten years of age will frequently render almost as much service as a grown man. I was shown one corn field of 120 acres which had been cultivated almost entirely by two girls, aged thirteen and fifteen, using riding cultivators." [10]

The chief significance of the facts stated in these passages is obvious. It means, on the one hand, that the country boys and girls coming to the cities, are brought into competition with several hundred thousand immigrants. It means, on the other hand, that, so far as immigrants go onto the farms and work for lower wages, the tendency toward the cities is thereby increased and made more powerful.

C. THE PADRONE SYSTEM

One of the effects of immigration which has attracted an unusual degree of public attention, is the so-called padrone system.[11] A padrone is a contractor, usually a foreigner, who keeps in close touch with arriving immigrants, secures their labor at a low wage, and then rents it out to other contractors engaged in works of construction. Very frequently the contractor is also a banker, and, occasionally, a boarding-house keeper, combining as many ways to secure the immigrant's money for himself as possible. It is said that the Act of 1864 for the encouragement of immigration, which gave con-

[10] T. N. Carver, "Life in the Corn Belt," in *World's Work*, p. 4235 (Dec. 1903).

[11] See *Report of Immigration Investigating Commission*, pp. 26-29 (1895); *Report of the Industrial Commission*, vol. 15, p. lxxix; Broughton Brandenburg, in *Collier's Weekly*, vol. 34, p. 29 (Nov. 19, 1904); *Senate Documents*, 53d Congress, 2d Session, No. 114 (1894); *Bulletin of the Department of Labor*, No. 9, (Mar. 1897); Gino C. Speranza, "Forced Labor in West Virginia," in *Outlook*, vol. 74, pp. 407-410 (June 13, 1903).

tractors, manufacturers and employers power to contract with laborers from Europe to take the places of American workmen, was responsible for the beginnings of the padrone system. The Italians were the first to be exploited by this method and are still its chief victims, but the practice has spread to include Slav, Jewish, Greek and other laborers; and, although the details of the system vary somewhat with the nationality and the kind of labor the immigrant performs, the working is simple. A contractor, who has a large job on hand and wishes to secure the lowest-cost labor, applies, for example, to an Italian banker. The banker, through agents in Italy, secures the necessary number of laborers and has them sent here on prepaid tickets from each of which he receives a commission. On landing, the men are taken in hand by his agent, distributed among boarding-houses under his control, and charged extortionate rates for board. The banker finally assigns them to their work, and collects a commission both from them and from the contractor. While employed, they are forced to live together in shanties owned or hired by the banker's agent, to pay exorbitant rents, and to buy all their provisions from this agent at enormous prices. All the money sent home by them is transmitted by the banker, who charges a large fee for this service in addition to the exchange. When they are ready to return to Italy, the banker secures another profit on the return tickets. In this way, from the time they leave home until they return, the immigrants are a constant source of profit.

The operations of the padroni are a serious menace to the cause of advancement of labor; not merely because they stimulate the importation of labor, but on account of the ease and mobility with which labor under their control can be sent to different parts of the country.

In 1886, for example, circulars of a New York company were distributed broadcast through the State of Wisconsin, advertising gangs of men for grading, mining, street cleaning, snow shovelling, and similar kinds of labor. In more recent times the system has spread among the Syrians, Arabs, Turks, Greeks and Armenians who are being brought here to peddle goods, to black boots, and to beg.[12] For example, the Commissioner recently discovered that eighty boys who arrived together at Boston from Italy, were to be farmed out as helpers in truck gardens and other work of that kind. It is asserted that the system does not operate as extensively as formerly, especially in regard to the Italians. But it may be replied that although infractions of the contract labor law are not so common, yet it is understood that there is a market for certain kinds of labor in New York City, and immigrants of certain nationalities who come on the strength of this information fall under the control of the padroni of their own race almost as quickly as if they had been directly imported. Competent witnesses further report that most of the Italian banks even at the present day, are more or less engaged in this business.

D. THE SWEATING SYSTEM

Closely akin to the padrone system is the "sweating system." This term originally denoted a system of subcontract wherein work was let out to contractors, to be done usually by muscular power in small shops or homes. It is contrasted with the factory system, where the manufacturer employs his own workmen in his own building with steam or other power. The sweating sys-

[12] As to Greeks and the boot-black trade see *Report of the Commissioner-General of Immigration, 1904*, p. 38.

tem was not originally peculiar to immigrants; but in the sixties, immigrants, especially the Russian Jews, invaded the lines of work where the system prevailed, and by their willingness to adopt machines, such as sewing machines, and by division of labor, quickly ousted the English, Irish, and native labor previously employed. The sweater is now chiefly an organizer and employer of immigrants, like the padrone. Formerly he was generally a lodging-house keeper, to-day he is a manufacturer. The wages paid by the sweater are from one-quarter to one-half those formerly obtained by independent workmen. From the fact that attics, tenements and cellars are used for shops, and because of the low wages paid, the sweater is able, with footpower, to compete with the machine power of factories. The hours of labor are unlimited. If the workers ask for higher wages, the sweater answers that he has nothing to do with the price, and that the latter is made by the manufacturer. As the manufacturer is unknown to the operatives, they have no means of making him responsible. Both the contractor and the sweating system are the products of an overcrowded labor market, and this is due to the multitude of newly arrived immigrants willing to work for almost any wage. Factory legislation, labor unions and tenement house reform are alike unable to cope with the condition. As sweatshop employees progress upward, some join the labor unions; but the ambition of most is to become themselves contractors and sweaters. In either case, the continually-arriving immigrant labor supplies the material and the motive power for the continuance of the system. The committee of the House of Lords which investigated this matter, reported in 1890 that the principal evils of the system were inadequate wages, excessive hours of labor, and the

unsanitary condition of the workshops.[13] The testimony before the Industrial Commission was all to the effect that factory legislation cannot remedy this condition, and that so long as a constant stream of cheap labor continues to flood our large cities, economic conditions will not right themselves. One inspector testified that after two days' inspection of the sweatshops of Philadelphia, he had found such filth, vice, suffering and actual starvation that he was unable to continue his investigation.[14]

E. UNEMPLOYMENT

The displacement of large numbers of native workers by foreigners who underbid them, affects the standard of living, not only by direct competition, but by increasing the ranks of the unemployed. In other words, it increases the number not only of those unemployed at the standard wage, but of those unemployed at any wage. Here again so many factors enter into the labor market that it is impossible to say exactly what part immigration plays in its variations. In 1892, the Massachusetts census showed 29 per cent. of the population was out of employment for some part of that year. It has been estimated[15] that 6,000,000 persons were out of employment for some part of the year ending March 31, 1897, or 2,000,000 persons for the whole year. From 1891 to 1896, inclusive, we added about 3,500,000 immigrants to our population, nearly all of whom were unskilled. The report of the Massachusets Commission on the Unemployed, already quoted from, attributes the evils of

[13] *Report of the Industrial Commission*, vol. 15, pp. 319-327.

[14] Cp., as to London, W. Evans-Gordon, *The Alien Immigrant*, chaps. i., ii.

[15] John Chetwood, Jr., in *Arena*, vol. 18, p. 792 (Dec. 1897).

lack of work in 1893-4 largely to immigration. It is a curious coincidence that in Massachusetts in 1893, 30 per cent. of males who had previously been employed were unemployed; and of these, 30,000 persons were unskilled; and that in the year 1892-3 exactly 30,000 unskilled immigrants landed in the United States bound for Massachusetts. In New York State for the year 1902, about 15 per cent. of all workers were idle; and in 1897 the percentage was as high as 22. More than one-half of those unemployed were so from lack of work, and not from strikes, illness or other causes. In the face of such figures, it seems idle to claim that labor must be imported or industry will suffer.

It may be remarked also that although immigration is, to some extent, regulated by the labor market here, this has its bad as well as its good side. Foreign labor stands as a constant menace to the progress of the American laborer, and a check to his advancement. The moment foreign labor can do no harm to the native standard of living, it ceases to come; while the moment conditions here improve, immigration comes to share in and limit the improvement.[16]

In various ways the economic conditions into which the immigrant comes, have changed in the last half century. On the one hand, the total population is now so large that its natural increase amounts to about a million and a half in a year, and this increase would probably be larger if there were a sufficient demand for labor at good wages. On the other hand, although of course the natural resources of the country are by no means fully developed, the free land suitable for culti-

[16] See, generally, Mayo-Smith, pp. 117-120, 123-128, 135, 143; *British Board of Trade Report, 1893*, pp. 212-217, 221, 237-238.

vation has practically disappeared. In 1903 the total area of the United States unappropriated and unreserved, exclusive of Alaska, amounted to about 475,000,000 acres.[17] A very large part of this consisted of mineral, timber and arid lands not suitable for cultivation. During the fiscal year 1903 about 23,000,000 acres were disposed of, including 11,000,000 homestead entries. Most immigrants arrive with only a few dollars in their pockets, not enough to carry them to land still available, and much less to pay even a low price for fertile land. Much of this fertile land, moreover, is owned by railroads or Indians who have a good notion of future values, and are not disposed to sell at a very low figure. It must be admitted that immigrants with some money can obtain land from private owners, and transport themselves thither at less cost than they could formerly when the prairies of the West were open to free occupancy under the homestead law. But farmers with some money, bringing their families with them, and intending permanent settlement, are not relatively numerous; and apart from colonization schemes where the capital is furnished for them, there is no way in which land in the West and South can be made available for immigrants now arriving. That, in fact, recent immigrants do not go West or South to any extent is shown both by the immigration statistics and the census figures on the location of the foreign-born population.[18] Moreover those States desiring immigrants do not, in general, desire the kinds of settlers now arriving in the largest numbers.[19] The fact that there is room for a much larger population in parts of the country seems, therefore, to have no very

[17] *Land Office Report, 1903*, p. 113.
[18] See *supra*, chapter v., C.
[19] See *infra*, chapter xiv., A.

direct relation to the immigration problem as it now exists.[20]

In conclusion it may be said that the chief economic effects of immigration have been the settling of the new portions of the country, the exploiting its industries more speedily than would otherwise have been possible, the development of the factory system, and stimulating the invention and use of machinery requiring no great skill for its operation. Immigration has also resulted in the greater organization of industry and the stratification of society. All these things doubtless would have come to pass sooner or later without immigration, but the influx of such large numbers of producers has probably hastened their advent.

[20] See, however, Edward Atkinson, "Incalculable Room for Immigrants," in *Forum*, vol. 13, pp. 360-370 (May, 1892).

CHAPTER VIII

SOCIAL EFFECTS OF IMMIGRATION

A. ILLITERACY [1]

Social institutions depend for their existence upon the ability of men to exchange their ideas and act together intelligently for common purposes. Inasmuch as the chief means of doing this is the spoken and written word, the illiteracy of any community is a matter of great importance, and anything that affects it deserves public attention.

The necessity of universal elementary education has become an axiom with the American people; its practical expression is found in the vast sums expended annually for educational purposes. The result of compulsory education in the United States is shown in the following figures. In 1900, there were 13,367,147 persons attending school during some portion of the year. There were 6,180,069 illiterate persons over 10 years of age, constituting 10.7 per cent. of the total population over 10 years of age. This is a considerable reduction from 13.3 per cent. in 1890 and 17.0 per cent. in 1880. The various elements of the population vary considerably in respect to illiteracy. The native whites in 1900 showed an aver-

[1] *Twelfth Census,* 1900, vol. ii., pp. xciii., xcviii. As to the congestion of illiterate immigrants in the slum districts of our large cities, see *infra* in this chapter under "F. Congestion in Cities."

age of 4.6 per cent. as against 44.5 per cent. for colored persons, and 12.9 per cent. for foreign whites. The percentage of all illiterate males was 10.1 as against 11.2 for illiterate females. Illiteracy varies also in different parts of the United States. Nebraska has the least, 2.3 per cent.; Louisiana has the most, 38.5 per cent.

Attention has been directed[2] to the fact that, as regards white children between the ages of 5 and 14, 71 per cent. of those born of foreign parents were attending schools, as against 66 per cent. of those born of native parents. It is, of course, creditable to the foreign element that the children are anxious to obtain an education, but it must be remembered that most of the recent immigration has settled in the Northern and Eastern States where the educational system is the most developed, the laws against the employment of children the most strict, and the difficulty of evading the compulsory education law the most pronounced. If we consider secondary education, that is of children from 15 to 20 years of age, the percentage of children of native white parents attending school is 33.5, that of children of foreign white parents 22.8, showing that throughout the country as a whole, the children of native parents tend to receive a more complete education. Considering the white population of ten years and over, it appears that the illiteracy of those of native parentage was 5.7 per cent. as against only 1.6 for those of foreign parentage. But, striking as this is, it would not be safe to argue from it that the children of immigrants are, everywhere, less illiterate than those of natives. The concentration of immigrants in certain States above mentioned in connection with school attendance, would account largely for

[2] O. P. Austin, "The New Immigration," in *North American Review*, vol. 178, p. 565 (Apr. 1904).

the low illiteracy of their children. The figures for children of natives and of foreigners, for example, are, in New York State, 1.3 and 1.1; in Massachusetts, 0.5 and 1.2; in Pennsylvania, 2.5 and 1.6; in Texas, 5.1 and 13.2.

It is interesting to note that the illiteracy of the foreign-born from ten to fourteen years of age is 5.6 per cent., while among those 65 years of age and over it is 19.3 per cent. Undoubtedly this is due to two factors, the recent spread of popular education in Europe, and the opportunities provided by our educational institutions for the children of foreign-born immigrants.

In estimating the probable effect of immigration on illiteracy, it will be useful to consider for a moment conditions in Europe. The following is the general illiteracy for European nations:[3]

COUNTRIES	Per cent.	Category of Population
German Empire	0.11	Male
Sweden and Norway	0.11	"
Denmark	0.54	"
Finland	1.60	" & female over 10 yrs.
Switzerland	0.30	"
Scotland	3.57	" & female
Netherlands	4.00	"
England	5.80	" & female
France	4.90	"
Belgium	12.80	"
Austria	23.80	"
Ireland	17.00	" & female
Hungary	28.10	"
Greece	30.00	" & female
Italy	38.30	"
Portugal	79.00	" & female
Spain	68.10	"
Russia	61.70	"
Servia	86.00	"
Roumania	89.00	"

[3] *Report of United States Commissioner of Education, 1900,* p. 785.

These figures are based on returns dating from 1889 to 1897, most of them being for 1896. In some countries an improvement has doubtless been made since the figures were compiled.

Although immigrants are usually of the lower and more ignorant classes, there is a certain general correspondence between their illiteracy and that of the countries from which they come. This means that recent immigration, though it has not checked the general spread of education in the United States, has retarded the movement, and has imposed a heavier educational burden upon the country than would have been imposed by the immigration of kindred races. Thus, while the native white illiteracy has diminished from 8.7 per cent. in 1880 to 4.6 per cent. in 1900, the foreign white illiteracy has increased from 12 per cent. to 12.9 per cent., and the total white illiteracy has decreased only from 9.4 per cent. to 6.2 per cent. That the general illiteracy has thus decreased in spite of immigration, is striking testimony to the efficiency of our public school system. In 1890, as compared with 900,000 foreign-born of school age there were 12,400,000 of the second generation of school age; and the fact that in Massachusets in 1900 the illiteracy of the foreign-born was 15 per cent., as compared with 0.8 per cent. for the native-born, shows the effect of our educational facilities upon the children of foreigners.

We notice at once that the countries from which the United States received the bulk of its immigrants before 1880 are, with the exception of Ireland, those which have a lower illiteracy than the United States at the present time; and that the German Empire, Scandinavia, Finland, Switzerland, Scotland and the Netherlands are the only countries having a lower general illiteracy than

the native whites of the United States over ten years of age. On the other hand, we note that the countries from which we have received our principal immigration since 1880, namely, Austria-Hungary, Italy, Poland, and Russia, have a relatively high illiteracy—frequently two or three times as high as that of even the foreign whites in the United States over ten years of age.

Remembering that the figures as to illiteracy, based as they are on the unverified statements of immigrants themselves, are extremely untrustworthy, let us now consider the probable effect of the present immigration. The author has several times been allowed, through the courtesy of government officials, to make practical tests of the ability of immigrants to read and write, and in nearly every instance many cases of false representation of literacy were disclosed. Immigrants have a theory that they are more likely to be admitted if they are thought to be able to read and write, and the agitation for an illiteracy test makes it for the interest of the transportation companies to have returns indicate as small a proportion of illiterates as possible. Once or twice an educational test bill before Congress has been reported by foreign newspapers as actually enacted, and this has doubtless contributed to the feeling of steerage passengers upon the subject.

As we have already seen,[4] the general illiteracy of immigrants is less than formerly; but it is undoubtedly much greater than it would be if immigration to-day had the same racial composition it had before 1880. In other words, illiteracy has diminished in the United States and in the countries of northern and western Europe much faster than it has in the general body of immigration to this country. A good illustration of

[4] Chapter v., A.

what might have happened if the racial composition of immigration had not changed is furnished by Italy. The earlier immigration from Italy came from the northern States; the present immigration is chiefly from the southern States. In Piedmonte, one of the principal States of northern Italy, from which the emigration to this country was 576 persons in 1895, the illiteracy among the married men was 8 per cent., and the proportion of children in the elementary schools was 12.8 per cent.; in Campania, one of the principal States of southern Italy, from which the emigration was 13,469, the illiteracy of the married men was 51 per cent., and the proportion of children in the elementary schools was 6.4 per cent.[5]

Somewhat akin to the question of illiteracy and therefore suitable for consideration in connection with it, is the ability of immigrants to speak English.[6] The tabulation of persons unable to speak English was first made in the census of 1890. The census of 1900 shows that there were at that date of foreign white persons 10 years of age and over who could speak English 1,217,280, or 12.2 per cent. of the total of such persons in the country.

As there was, down to 1880, a very large immigration from the United Kingdom, and there still is an appreciable immigration from that kingdom as well as from the English-speaking part of Canada, allowance must be made for the foreign-born who speak English as their mother tongue. If we allow 24.5 per cent. for these persons, the percentage of other foreign-born who were unable to speak English was 18.3 per cent. in 1900 and

[5] Statement of Luigi Bodio, Italian Director of Statistics. See *Baltimore Herald*, May 2, 1897.

[6] *Twelfth Census*, 1900, vol. 2, pp. cxxiii, ff.

25 per cent. in 1890. The States having the largest proportion of white persons of foreign parentage 10 years old and over were, first, Texas, Arizona and New Mexico, where nearly one-third of the population speak Spanish; and second, Florida, where the same is true in less degree; and third, Maine and New Hampshire, where more than 10 per cent. speak French. It is interesting to note that, in 1900, in Pennsylvania there were nearly 20,000 native whites of native parentage, chiefly Dutch, who did not speak English; but the number was less than one-half what it was in 1890. The parentage of persons over ten years of age unable to speak English was, for the largest number of those unable to so speak, as follows:

Germany	18.8
Italy	15.3
Poland	11.5
Russia	7.6
Austria	7.3
French Canada	7.0

The ability to speak English is nearly as important as that of being able to read a foreign language. It appears that in the year 1901 there were nearly 1300 newspapers published in foreign languages in the United States. By far the greater number of these were German, but there were also a considerable number of French, Italian, Spanish, Norwegian, Danish and Swedish. The total circulation of these papers is doubtless very large, and their influence for assimilation very great. Yet it is probable that these papers do not reach a very large proportion of those who cannot speak English. There are no figures to show what proportion of those who cannot speak English are also illiterate, but from the races making up the non-English speaking class, we can safely

assume a considerable percentage of illiteracy. Rather, it is fair to assume that an immigrant who is intelligent enough to subscribe to a foreign newspaper in the United States, will generally feel the importance of acquiring the language of the country in which he lives; and apart from settlements in mining regions and in some of the city colonies, it is probable that most of the subscribers of these newspapers speak some English. The effect of inability to read or to speak English will be discussed further in connection with the question of the assimilation of immigrants.[7]

B. CRIME[8]

We shall consider, in this and the two following sections, the extent to which immigration has contributed to the dependent and delinquent classes in this country. The statistics of these classes in the census of 1900 are not yet at hand, so it will be necessary to use those of the census of 1890.

According to the latter,[9] it appears that taking into account only the 105,885 parents whose nationality was known, 43.19 per cent. of the crime committed by white persons in the United States was chargeable to the native element, and 56.81 per cent. to the foreign element. By the same census the number of native-born whites in penitentiaries was 12,842. The number of those of foreign birth or parentage was 15,598, or 54 per cent. of

[7] *Infra,* chapter viii., G.

[8] See *Report of the Industrial Commission,* vol. 15, pp. 285 ff.; John R. Commons, in *Chautauquan,* vol. 39, pp. 118-121 (April, 1904); *Report of the Commissioner-General of Immigration, 1904,* pp. 48-76. See also *supra,* chapter v., B.

[9] Compendium, Part II, pp. 169, 182.

the total. In other words, the foreign white element, which was two-fifths of the total, furnished three-fifths of the white criminals of the United States. Professor Mayo-Smith [10] says:

"From all the statistics the conclusion seems to be justified that criminality is somewhat more prevalent among the foreign-born and those of foreign descent than among those of native descent, but this excess is not so great as to enable us to say that the influence of migration is to increase the tendency of crime."

It would thus appear that, just as in the case of illiteracy, the foreign-born tend to keep up the average criminality, while the criminality of the native element tends to diminish.

The following tables show in a general way the proportion of native-born and foreign-born criminals at various decades. It should be remembered that these figures are based upon very imperfect data, and that the increase of crime in the "native-born" is probably due in large part to the criminal children of immigrants, who, as we have seen, are largely in excess of their normal proportion.

DECADE	Native born in population	Native born criminals	Foreign born in population	Foreign born criminals
1850.....	90.32	64.21	9.08	35.79
1860.....	86.84	53.14	13.16	46.86
1870.....	85.56	73.47	14.44	26.53
1880.....	86.68	78.15	13.32	21.85
1890.....	85.23	79.91	14.77	20.09

Even as far back as 1850 there was one native criminal

[10] *Publications of the American Statistical Association*, new series, No. 24, p. 447 (Dec. 1893).

in 1619 natives, and one foreign criminal in 154 foreigners.[11]

As the average age of foreigners is higher than that of natives, and criminals are largely adults, there is great danger of drawing hasty conclusions as to the criminality of the two classes.[12] Thus, if we consider merely the total of persons without reference to ages, it appears that the foreign-born furnished 1768 prisoners per million as against 898 for native-born. Professor

[11] Sydney G. Fisher, in *Forum,* vol. 14, p. 610 (Jan. 1893).

The following tables from the census of 1890 throw additional light upon this matter:

Percentage of increase of the total native and foreign-born criminals 1850-1890:

CLASS	1850 to 1860	1860 to 1870	1870 to 1880	1880 to 1890
Total criminals	183.3	72.3	78.1	40.4
Native-born	134.4	138.3	89.4	43.6
Foreign-born	270.9	2.40*	46.7	29.1

* Immigration fell off about 11 per cent. during the war period.

Percentage of white native and foreign criminals and juvenile offenders, 1890:

CLASS	Native-born	Foreign-born
Total white criminals	71.7	28.2
Total white juvenile offenders	88.7	11.3

Percentage of white native and foreign-born criminals and juvenile offenders by parentage, 1890:

CLASS	Both parents native	Both parents foreign
Total white criminals	42.4	57.6
Total white juvenile offenders	37.7	62.3

Percentage of illiteracy among white criminals by nativity and parentage, 1890:

CLASS	Illiterates
Total criminals	27.8
Total white criminals	13.4
Total white native-born criminals	10.3
Total white foreign-born criminals	20.6
Total white criminals, both parents native	38.7
Total white criminals, both parents foreign	61.2

[12] See Professor Commons, "Racial Composition of the American People," in *Chautauquan,* vol. 39, p. 118 (Apr. 1904); also *Report of the Industrial Commission,* vol. 15, pp. x, lxix.

Commons considers it fairer to compare the number of male prisoners with the males of voting age. On this basis, for 1890, the foreign-born whites furnished 3270 prisoners per million as against 3145 for the native whites, an excess of only 5 per cent. of the total prisoners.[13] It must be insisted, however, that the question, as it regards this country, is not entirely whether one race is normally more or less criminal than another, but whether our burdens are increased by the coming of criminally-inclined persons. We might endure the criminality of the adult immigrants with more composure, if we had any assurance that their children would be as orderly as the native-born. But we find just the opposite to be the fact. Comparing again the male prisoners with the males of voting age, we find 6742 native-born white prisoners of foreign parentage, which shows that this element furnishes three times as many criminals as those of native birth and parentage, and more than twice as many as the foreign-born. The children of immigrants are therefore twice as dangerous and troublesome as the immigrants themselves.

Again, if we compare the male juvenile offenders with the male population of school age (5-20 years) for the North Atlantic Division, where juvenile prisoners are more segregated into reformatories than in other parts of the country, we find[14] that the native whites of native parentage furnished 855 prisoners per million, as against 2740 native whites of foreign parentage, and 2252 foreign whites.

[13] Cp. John J. D. Trenor, "Proposals affecting Immigration," in *Annals of American Academy of Political and Social Science*, vol. 24, p. 228 ff. (July, 1904).

[14] The author is indebted for these facts to the article of Professor Commons above cited.

In other words, the native-born children of immigrants are more criminal than immigrant children, and more than three times as criminal as the native children. When we already have the problem of the negro, who is six times as criminal as the native white of native parentage, if we consider adults, and twelve times as criminal if we consider juvenile offenders, it seems unsafe to allow the further introduction of disorderly elements into our population.

It is much to be regretted that the statistics of the subject have not been more complete in the past. Any census based upon the number of prisoners at a given time, though it may give a correct idea of the burden on the community, exaggerates the crimes for which the longer sentences are imposed, and takes little or no account of those for which lesser sentences are given. Yet the community may suffer more from forty-four persons serving sentences of three months or less—who might not be counted in the census at all—than from one criminal serving a sentence of eleven years, who would appear in two censuses. On the other hand, the census exaggerates the importance of petty crimes by including the petty criminals in jail at the date of its taking.

It appears that, in 1904, the foreign-born in the public penal, reformatory, and charitable institutions of the United States were 28 per cent. of the total inmates; the foreign-born population, in 1900, having been 14 per cent. of the total population.[14a] The following table, compiled from the report of the Massachusetts Prison Commissioners for the year ending September 30, 1894, shows first, the number of commitments furnished by

[14a] *Report of the Commissioner-General of Immigration, 1905*, p. 62.

each one thousand persons born in the countries named, and second, the same thing leaving out commitments for drunkenness. For purposes of comparison, the percentage of illiteracy of immigrants fourteen years and over for the year 1896 is given:

	No. per m.	No. per m. less drunks.	Illiteracy (1896)
Germany	6.2	3.6	2.4
Scandinavia	12.3	5.1	1.0
Scotland	19.6	5.8	4.6
France	14.7	6.1	4.2
Ireland	27.2	7.1	6.5
England	20.6	7.2	4.4
Russia (Jews)	9.5	7.9	32.1
Austria	15.6	10.4	36.4
Hungary	15.4	15.4	46.5
Poland	20.9	16.0	47.8
Italy	20.9	18.2	46.1
Native born	7.7	2.7	
Foreign born	18.2	5.4	

It will be observed that, according to this table, the general criminality of the foreign-born is two and one-half times that of the native-born, and, considering other crimes than drunkenness, it is exactly twice as great. It will also be observed that, in a general way, there is a parallel progression of criminality other than drunkenness and illiteracy. The latter feature will be again referred to when we come to consider proposed remedies for the evils of immigration.

That certain races settling in certain sections of the country develop alarming criminal tendencies is a conspicuous fact. Cesare Lombroso, the noted criminologist, writing of the increase of homicide in the United States,[15] speaks of the relatively large proportion of homicides among miners, namely 3.2 per cent., while in the community at large it is but 1.6 per cent.; and

[15] In *North American Review*, vol. 166, p. 9 (Jan. 1898).

he attributes this to the laborious nature of their toil, their addiction to the use of alcoholic liquors, and to the light esteem in which they hold human life. He insists on the need of adequate immigration legislation in view of the fact that 35 per cent. of the homicides in the United States are committed by foreigners of no education.

In Schuylkill County, Pennsylvania, the total population in 1900 was about 48,000, of whom 30,000 were native-born; yet the commitments to prison in that county during the year 1901 were 326 for the foreign-born, as against 322 for the native-born, the largest number for any given nationality being 236 for natives of Russia and Poland. Of sixty cases of assault and battery in the Schuylkill County Criminal Court in one session of 1897, fifty were of Poles and Hungarians.[16]

Turning now to other specific parts of the country, some significant facts can be cited. In the anthracite regions it appears that although the population increased 25.4 per cent. from 1880 to 1890, convictions increased 34.1 per cent.; and although the Slav population increased 45 per cent., Slav criminals increased 69.2 per cent.[17] This was in the face of the fact that convictions are exceedingly difficult to obtain. One medical expert who testified in seventeen murder cases reports that in not one was the criminal convicted.[18]

Another region where foreign lawlessness is especially evident is the city of New York. In 1892, the authorities reported that 39 per cent. of all the persons in the penitentiary, 74 per cent. of those in the city

[16] See Philadelphia *Enquirer*, March 16, 1897.

[17] Peter Roberts, *Anthracite Coal Communities*, pp. 275, 282.

[18] Henry Rood, in *Forum*, vol. 14, pp. 110-122, especially pp. 118, 119 (Sept. 1892).

prison, and 59 per cent, of those in the workhouse, were of foreign birth; and the Superintendent of the Workhouse estimated that 90 per cent. of the native-born therein were of foreign parentage.[19] The proportion of the foreign-born in New York City in 1890 was 42.2 per cent.; in 1902, 37.1 per cent. During the year 1902, in the City Magistrates' Court of the first division, which is situated in the Irish quarter, out of 55,125 persons held for trial or summarily tried and convicted, 27,031 were born in foreign countries. Of these, it is remarkable to note that, in 1900, the total Greek population of New York was given as 1309, and in the year 1902, 1678 Greeks were held in these courts as above described. The arrests were largely for the violation of corporation ordinances, and not for crimes of a serious nature; nevertheless, it is a remarkable indication of ignorance of, or indifference to, law. In the report of the Five Points House of Industry[20] it is stated that of 378 cases, the parents of 116, or less than one-third, were of American birth, and in 262 instances the parents were of alien birth. The report of the Society for the Reformation of Juvenile Delinquents (House of Refuge), for the 78th year, shows that 430 children were received, of whom 135 were American (94 white and 41 colored), the remaining being of foreign birth. It might be interesting to know how many of those classified as Americans were of American-born parents. The Seventh Special Report of the United States Commissioner of Labor shows that the proportion of those of foreign birth or parentage in the slums of New York City was 95 per cent., and

[19] Charles S. Smith, in *North American Review,* vol. 154, p. 436 (Apr. 1892).

[20] Vol. 46, p. 12.

that 51.1 per cent. of these were from southern and eastern Europe. A New York City magistrate has recently said:

"I have been particularly disturbed by the growth of faginism of children on the East Side. Some of these children are immigrants and some are the children born here from immigrants. It has been particularly severe in that section of the city among the Jews, Roumanians, and Poles, and I do not find it existing in any other part of the city."

While conditions are not so strongly marked in Massachusetts, they are similar. For the year ending September 30, 1894, of the total commitments during the year to all the prisons, 85 per cent. were persons of foreign parentage and 49 per cent. of foreign birth, while the foreign-born population in 1890 was only 29 per cent. of the total population. For the year 1895 in Massachusetts the total commitments to all prisons were 26,423. The number of those of American birth and parentage was 4087, and of foreign-born 12,781, and of those of foreign birth and parentage 22,134. From these figures it would appear that the foreign-born, who were less than one-third of the total population, furnished three times as many prisoners as those of native birth and parentage, and that the foreign element furnished five times as many criminals as the native element. It also appears that the second generation, that is, those of American birth and foreign parentage, furnished five-sixths as many criminals as the foreign-born themselves. Considering the matter of drunkenness, as shown in the statistics of all Massachusetts prisons for the same year, it appears that the foreign-born furnished more than three times as many commitments for this cause as the natives.

Although the greatest burden on the community

doubtless comes from those committing the lesser crimes more frequently, and from the drunkenness and general lawlessness of certain classes of the foreign-born, it is the homicides and anarchists who attract most public attention. The names of the injured in the Haymarket outrages in Chicago were nearly all outlandishly foreign, though one of the leaders was a native American. Later came the Italian agitation in New Orleans followed by lynching, which was the subject of much correspondence between the United States and the Italian government. There seems to be little doubt that the Mafia and kindred societies of violence and crime exist in the United States.[21] In the West, various crimes are attributed from time to time to the Chinese "Highbinder" societies or "Tongs." It is probable that in many cases these foreign "societies" are not really such, but are groups of desperate men whose character and fortunes unite them for certain crimes. To meet the universal perjury of such people and to secure convictions an efficient secret police of the nationality in question seems to be indispensable.

It is probable also that the number of radical socialists and anarchists in this country is not large; yet from time to time foreign-born anarchists have attracted much attention, and in the Act of 1903 they were placed among the excluded classes. This Act specifies "anarchists, or persons who believe in or advocate the overthrow by force or violence of the government of the United States, or of all government or of all forms of

[21] Henry Rood, in *Forum*, vol. 14, p. 119 (Sept. 1892); Broughton Brandenburg, "The Truth about the Mafia," in *Collier's Weekly*, vol. 34, p. 15 (Dec. 10, 1904); Henry Cabot Lodge, "Lynch Law and Unrestricted Immigration," in *North American Review*, vol. 152, pp. 602-612 (Jan. 1891).

law, or the assassination of public officials," and also provides that such persons shall not be naturalized.[22] What has been said as to the difficulty of detecting convicts by inspection at the ports of landing, applies as well to anarchists. Those who disbelieve in government and law are not likely to scruple to evade regulations of this character, and such legislation is a foolish attempt to strain out such gnats while swallowing the camel of ignorant and degraded material out of which criminals and anarchists are made.

It has been pointed out that anarchy and socialism are the result of a certain degeneracy of race, and that those who come to us from a condition bordering upon serfdom are least capable of distinguishing between liberty and anarchy. "The anarchist and ultra-socialist do not, as is commonly supposed, derive their chief support from the Teutonic element; their ranks are rather recruited from among these members of the Semitic and Slavonic races."[23] The increase of the socialist vote in certain districts of the East Side of New York, through the growth of the Semitic, Polish and Hungarian population in those districts, would seem to confirm this view.

C. INSANITY AND DISEASE[24]

The census of 1890 showed that, not counting the feeble minded and idiots, 33.2 per cent. of the insane in the United States were of foreign birth, as compared

[22] For an argument against this clause, see Ernest Crosby, "How the United States Curtails Freedom of Thought," in *North American Review*, vol. 178, pp. 571-616 (Apr. 1904).

[23] A. H. Hyde, in *Popular Science Monthly*, vol. 52, p. 397 (Jan. 1898).

[24] Cp. *supra*, chapter v., B.

with 28.8 per cent. in 1880. As the foreign-born constituted in 1890 only 14.77 per cent. of the total population, they furnished two and one-third times their normal proportion of insane. From a statistical standpoint it is no doubt true that a part of this proportion is due to the greater average age of the foreign-born and to the hardships incident to a new environment. Thus the facts that in Minnesota the Scandinavians, who in 1886 constituted 16.5 per cent. of the population, furnished in 1886 28.3 per cent. of the insane, and in 1890 30.7 per cent. of the insane, are to be explained by the changed environment and isolation of the farmers and the severity of their initial struggles in a new country.[25]

But whatever the causes may be, the burden remains the same, and it is a severe one. In March, 1904, representatives of the New York State Lunacy Commission represented strongly to the Department of Commerce and Labor the need of more stringent regulations to prevent the landing of foreign-born insane; and they further reported that, in the Greater New York district, 60 per cent. of the insane patients were foreign-born.

Passing now to the subject of disease, it is clear that immigrants have been the cause of epidemics, and of the spread of much infection. It is asserted that they have caused 14 out of the 19 epidemics of small-pox in Chicago since 1863, and that to them was due the prevalence of small-pox in New York in 1902.[26]

In the fall of 1903 an epidemic of trachoma, spread by immigrant children, affected 10 per cent. of all the children in the schools of Manhattan, and required the

[25] K. C. Babcock, in *Forum*, vol. 14, pp. 108, 109 (Sept. 1892).

[26] Statement of the Health Commissioner of Chicago, quoted in *American Medicine* (Philadelphia), Nov. 22, 1902.

expenditure of $250,000 to stamp it out. In 1904, fines were imposed upon the steamship companies for bringing 310 diseased persons, chiefly afflicted with trachoma. Favus and trachoma were practically unknown in the United States before the immigration from southern and eastern Europe.

The foreign-born are also placing so great a burden on our hospitals that the money contributed to support these institutions is no longer sufficient. It has been stated recently that twenty of the principal hospitals of New York City showed an annual aggregate deficit of about $450,000. The Thirty-fifth Annual Report of the Presbyterian Hospital, one of the best in the city, shows that the total operating expenses for the year were $213,539.86, and that, of the 3026 patients cared for, 1417 or nearly one-half were of foreign birth. This hospital had a deficit of $58,504.88, or about one-quarter of the total operating cost. It seems, therefore, that but for the burden of aliens receiving free treatment, this hospital would have had a surplus. From the report of the Lying-in Hospital for its 104th year it appears that of 2595 out-door patients treated, 2280 were foreign-born, and of 696 in-door patients 436 were foreign-born. This institution showed a deficit of nearly $90,000.[27] During the ten years, 1885-1894, the total admissions to the hospitals of New York City, excepting the children's, were 282,928. Of these, 63.7 per cent. were foreign-born, and probably a considerable proportion of the remainder were of foreign parentage.[28]

During the ten years above-mentioned it appears that

[27] *Publication of the Immigration Restriction League,* No. 40.

[28] The following table shows the nationality of the foreign-born admissions to the hospitals and insane hospitals of New York

the percentages for England and Ireland in the hospitals decreased, while those for Russia and Austria-Hungary increased. The Irish and Germans, constituting about one-quarter of the total population of the city, furnished more than one-half of the insane, while during the ten years the proportions from Sweden, Russia and Austria-Hungary have doubled.

In addition to hospital cases, the numbers seeking charitable relief because of illness have largely increased as a result of recent immigration. Tuberculosis is becoming endemic in certain sections of our large cities. In 1895 only 2 per cent. of the applicants for aid to the United Hebrew Charities of New York City were tuberculous; in 1902 the percentage had increased to 4.8, and of all those seeking medical treatment 18.5 per cent. were consumptive.[29] The illiteracy of recent immigrants and their general ignorance and uncleanliness are potent factors in their spreading of this and other diseases. Immigrants are not only indifferent to sanitary regulations, but many cannot even read the board of health notices circulated for their benefit. The spread of yellow fever in New Orleans in the summer

City during 1885-1895. It is taken from an article by Byron C. Mathews, in *Forum*, vol. 26, p. 622 (Jan. 1899).

	Hospitals	Insane Hospitals
Ireland	35.5	35.5
Germany	11.4	20.0
England	4.2	3.4
Scotland	1.2	
Russia		2.0
Austria-Hungary		1.9
France		1.3
Sweden		1.0
All others	8.6	7.2

[29] Dr. H. L. Shively, in *New York Medical Journal*, vol. 77, p. 225 (Feb. 7, 1903). Cp. the report of the Committee on Tuberculosis in *Twenty-eighth Annual Report of the United Hebrew Charities*, pp. 35-42 (1902).

of 1905 is said to have been largely due to the resistance of recent Italian immigrants to proper sanitary measures.[30]

Probably the worst effect of immigration upon the public health is not the introduction or spread of acute diseases, but of large numbers of persons of poor physique, who tend to lower the general vigor of the community. This matter will be considered more fully hereafter in connection with proposed legislation.[31]

As in the case of criminals, the exclusion of insane and diseased persons, in the absence of specific information, is a difficult problem. Deportation is likewise hard to secure under the present methods of registration and surveillance, and an increased expenditure for these purposes would undoubtedly effect a saving to the community in the long run.

D. PAUPERISM [32]

In ascertaining the effect of immigration upon the number of dependents, we are compelled, as in the case of delinquents, to rely upon the eleventh census, the figures for 1900 not being yet available. According to the census of 1890,[33] taking into account only the 108,802 parents whose nationality was known, 41.56 per cent. of the white inmates of almshouses in the United States were native, and 58.44 per cent. were foreign. In other words, those of foreign white parentage, who in 1890 were 38 per cent. of the total white population,

[30] See Boston *Evening Transcript*, Aug. 21, 1905.

[31] Chapter xii., B, "Physical Test."

[32] Robert Hunter, *Poverty* (1904); Dr. K. H. Claghorn, "Immigration in its Relation to Pauperism," in *Annals of the American Academy of Political and Social Science*, vol. 24, pp. 185-205 (July, 1904).

[33] Part II, p. 174.

furnished 58 per cent. of the white paupers. In 1880, the foreign-born white population, which was about 15 per cent. of the total white population furnished 37 per cent. of the white paupers.[34]

In 1890 the foreign-born white paupers constituted 43 per cent. of the total white paupers; the white paupers of foreign parentage (both parents foreign) constituted 59.2 per cent. of the total white paupers having both parents native or foreign. Looking at the matter in another way: of the male paupers in almshouses per million of voting population in the North Atlantic States in 1890, the native whites of native parentage were 2096; the native whites of foreign parentage were 1782; and the foreign whites 4653. Even as far back as 1850 there was one native pauper in every 317 natives, and one foreign-born pauper in every 32 foreign-born persons.

The figures for particular localities tell the same story. In Massachusetts in 1895, out of a total of 11,054 paupers, 5209 were foreign-born. In other words, a foreign-born population which was 30.6 per cent. of the total population furnished 47.1 per cent. of the paupers.[35] In Boston for the year ending September 30, 1897, of 3050 men given work in the men's department by the Industrial Aid Society, 1710 or 56 per cent. were foreign-born; while of 8060 persons aided by the Provident

[34] The proportion of the foreign-born, and of the foreign-born paupers, at various decades is given in the following table:

DECADE	Foreign-born to total population	Foreign-born paupers to total paupers
1850	9.7	26.7
1860	13.1	39.1
1870	14.4	29.7
1880	13.3	34.7
1890	14.8	38.9

[35] *Census of 1895*, vol. 1, p. 803; vol. 3, p. 379.

Society, 5291, or 66 per cent., were foreign-born. In Pennsylvania in 1887 a census of alien paupers showed the number to be upwards of 20,000, costing annually $1,500,000.[36]

In New York City there is a tendency on the part of some new arrivals, especially the Syrians, to put their children into institutions until they are old enough to become an economic gain to their parents; and the Commissioner-General of Immigration reports that within six months after landing 580 aliens were sent recently to the charitable institutions of the city.[37]

The bulk of those dependent upon the public for support are, of course, the aged and the children. As regards race, in 1890, four-fifths of the paupers were British, Irish, and Germans. This is owing to the fact that the races which have come recently have not had time to find their way into public institutions; to the relief afforded certain races by the charitable organizations of their kindred, and to the low standard of living of other races.

The Hebrew dependents are very largely taken care of by their own race. In all our large cities there are Hebrew Charities which do a large amount of relief work; but even their generous efforts have to be supplemented by other agencies, and, in New York at least, the enormous Hebrew immigration makes the problem of relief a very difficult one.[38]

[36] *Report of Legislative Committee* (1887).

[37] F. P. Sargent, in *Century*, vol. 67, p. 471 (Jan. 1904).

[38] The *Twenty-seventh Annual Report of the United Hebrew Charities*, pp. 21, 29, 30 (1901) states the problems and conditions of relief as follows:

"No matter how earnestly we labor to care for the Jewish poor already in our city, our burdens are being constantly increased by the thousands who come from Europe every year

The case of the recent Italian immigration is somewhat different from that of the Hebrews. In certain charity districts of Boston applications for relief have fallen off almost entirely since the Italians supplanted the Irish in those localities.[39] Although the recently formed Societies for the Protection of Italian Immigrants have in some instances been of service in procuring work for those out of employment, the main

to settle in our midst. It is worth noting in passing that—comparatively speaking—few of these newly arrived immigrants come to us for assistance until after they have been in New York for a year or two. Either they have sufficient means of their own to bring them to America and to support them for a period after arrival, or they have been sent for by relatives, who are able to give them assistance for some time. But the evil conditions of the houses, and the deteriorating influences of the sweat shops of the great Ghetto, soon work havoc among these people, and after an interval of two or three years they come to us in numbers for relief. . . . A condition of chronic poverty is developing in the Jewish community of New York that is appalling in its immensity. Forty-five per cent. of our applicants, representing between 20,000 and 25,000 human beings, have been in the United States over five years; have been given the opportunities for economic and industrial improvement which this country affords, yet notwithstanding all this have not managed to reach a position of economic independence. Two thousand five hundred and eighty-five of the new applicants, representing 7 per cent. of the Jewish immigration to the United States during the year, found it necessary to apply at the office of the United Hebrew Charities within a short time after arrival. It must be remembered, furthermore, that the United Hebrew Charities does not represent the entire Jewish poverty and dependence that exists in New York City.

". . . The problem of the care of the Jewish poor in the city of New York is essentially the problem of the immigrant, and as such it passes beyond merely local lines."

[39] *Fifteenth Annual Report of the Associated Charities of Boston*, p. 30 (1894).

cause of this condition is more far-reaching. The standard of living of the Italian is so low that he can live even on the very low wages he obtains. One sees everywhere the Italian women and children collecting wood from buildings in process of construction and carrying home large loads for fuel. Fruit and other food which would be rejected as unfit by most other races furnishes a diet upon which the Italian seems to thrive. His drink and tobacco bills are lower than those of the British and the Germans. All this has both a good side and a bad side. The latter is not perhaps as obvious as the former; but it is clear that a low standard of living enables the Italian to underbid other labor while himself a very limited consumer of the products of labor. Much of the money saved is, as we have seen, sent out of the country or used to help the immigration of fellow-countrymen who repeat the same process after arrival. The great mobility of Italian laborers is also a factor in keeping them from becoming public charges. The padrone system gives them employment almost from landing and moves them about at the need of the contractors. In bad seasons many return to Italy.

Much of the pauperism due to recent immigration is, therefore, not to be found in the ranks of the immigrants themselves, but among those who are displaced by their presence. It is said that a large proportion of tramps and professional beggars are native Americans. Probably this is true, and many of these wandering outcasts doubtless became such by losing their jobs through the competition of lower-priced foreign labor.

In the case of the Slav laborers, especially in the mining regions, the foreign-born are a much heavier direct burden upon the community. Thus, in the an-

thracite regions the outdoor expense per capita is nearly three times as great as the average for the State.[40]

In regard to the outlook for a continuance of pauperism, among recent arrivals, a difference of opinion exists among experts. One competent observer thinks that the second generation of Italian, Slavic and Hebrew immigrants is likely to furnish fewer dependents than did the Irish, Germans and English, and that pauperism in all races generally ends with the first generation.[41] On the other hand, the Associated Charities of Boston in its report for 1894 considers the situation as serious and describes it in the following language:[42]

"As we face the fact that nearly all those applying to us were of foreign birth or parentage, that they included representatives of some fifteen different nations, and that inefficiency and lack of capacity were really the prevalent difficulties, we feel the importance of having changes made in our laws as to immigrants. This is a primal necessity. The recent immigrants have been, generally speaking, much inferior to those who came in earlier times. They are lowering the average standard of citizenship in our country, and such immigration must be checked before we can adequately deal with the problems of pauperism and crime in our cities."

It may be pointed out that technical pauperism is but one sign of general poverty and degradation, and that, as in the case of the Italians, above noted, its decrease may not mean any general improvement in the condition of the community, at least for a considerable period. If

[40] Roberts, *Anthracite Coal Communities*, p. 299.

[41] K. H. Claghorn, in *Annals of the American Academy of Political and Social Science*, vol. 24, pp. 204, 205 (July, 1904).

[42] P. 30. Conference of Ward VIII, containing a large foreign population.

charitable institutions were more ready to take advantage of the law as to the deportation of public charges, the community would be relieved of much of its present burden. What this burden is we shall now proceed to consider.

E. THE BURDEN OF DEPENDENTS AND DELINQUENTS

The actual burden of the foreign dependent and delinquent classes upon the community is almost as difficult to estimate as the money value of the immigrant; and the sum expended in the care of these classes bears about the same relation to the whole burden which they impose upon the community, that the money the immigrant brings with him does to his money value. In addition to the cost of supporting persons actually in institutions, there is a far larger cost for increased police and sanitary inspectors, for law courts and machinery of justice, for private charity, for public education, and for the effects of physical and moral contagion upon the rest of the population.

Roughly speaking the foreigners furnish more than twice as many criminals, two and one-third times as many insane, and three times as many paupers as the native element; and in 1890 these foreign dependents and delinquents numbered over 80,000 persons. When the forthcoming census of alien defectives and delinquents is published we shall know more exactly the money burden put upon us. The Immigration Bureau in 1904 made a census of the aliens in public institutions, and it appeared that in the penal, reformatory, and charitable institutions of eleven States from Maine to Maryland, including Delaware, there were 28,135 aliens. Of these, 16,438 or 58.8 per cent. were Irish, German, and English by birth, and 7995 or 28.8 per cent. were Slavic and

Italian.[43] The numbers of aliens of these races in the same States are not at hand for comparison, but if we consider the foreign-born, it appears that the Irish, Germans and English were about 51 per cent. of all the foreign-born, and the Italians and Slavs about 13 per cent.[44] As the Irish, Germans and English tend to become naturalized more than the Italians and Slavs, the comparison may be rather unfair to the latter; but one cannot help noticing the great disproportion between their rates in the total foreign-born population and in the total alien dependents and delinquents.[45] The expense which these aliens were to the country can be estimated from the per capita expenditure in institutions in one or two of our Eastern States, bearing in mind that in some other sections of the country the plant is not so large and that in the East the administration is more economical.[46]

If we take $150 as an average yearly cost, which Horace Mann considered too low, there is a bill of $12,000,000 which this country has to pay for persons

[43] F. P. Sargent, in *Annals of the American Academy of Political and Social Science,* vol. 24, p. 157 (July, 1904).

[44] *Twelfth Census,* 1900, vol. i, p. clxxiii.

[45] Of the inmates of the penal and charitable institutions of New York city, 36.9 per cent. are native-born, and 63.1 per cent. are foreign-born. Of the foreign-born, 36.3 per cent. are natives of Ireland; 11.0 per cent. natives of Germany; and 4.2 per cent. natives of England. See Byron C. Mathews, in *Forum,* vol. 26, p. 625.

[46]

STATE	Year	Class	Average cost per capita in dollars
Mass.	1893	Prisoner	164
Mass.	1893	Pauper	155
Mass.	1893	Insane	186
Mass.	1896	Insane	132
Mass.	1895	Prisoner in State prison	207
Mass.	1895	Prisoner in Women's Reformatory	192
N. Y.	1890	Penitentiary	110
N. Y.	1890	Insane	222
N. Y.	1900	Insane	165

many of whom could have been, and should have been, excluded. In 1902, the direct cost to the United States of the excess of the foreign-born insane alone amounted to at least $5,000,000 per year. It is probable that the figure given above as the total cost of alien defectives and delinquents is ridiculously inadequate.

It has been estimated that the total annual cost of caring for the foreign-born poor of New York State alone equals $12,000,000, and this leaves out of account the charitable homes for children. The average expenditure for correctional, charitable and reformatory institutions, for the period 1885 to 1895, in New York State was about $15,000,000.[46] If we assume the foreign-born to be responsible for only one-third of this expenditure the result is a charge of $5,000.000 on this account, again probably too low. In 1902 there were 12,000 foreign-born insane, idiots, and epileptics in the public institutions of the State of New York, or about 6,000 over the normal proportion for the foreign-born.[47] The average life of a person committed to an insane hospital is about twelve years, and the cost about $165 a year for each patient; so that the total expense of the 6000 foreign-born patients mentioned, for the rest of their lives would be nearly twelve millions of dollars.

Further investigation and the lapse of time will show which nationalities furnish us the largest proportion of the unfit; but, taking the 28,000 alien convicts and paupers above enumerated, at the average cost of $150 per year, we see that in the North Atlantic Division with Maryland and Delaware alone these persons cost over

[46] *Report of State Board of Charities,* 1894, p. xiv.

[47] See testimony of Goodwin Brown, attorney for the New York State Lunacy Commission, *Senate Documents,* 57th Cong., 2d Sess., No. 62, p. 238.

$4,000,000 annually. The burden of private charity is even harder to ascertain than that borne by public charity, and is doubtless quite as great. In the face of figures like these it is not strange that Henry Gannett, a competent statistician, writes: "The evidence on record is that this country supports the greatest eleemosynary work known to history."

F. CONGESTION IN CITIES[48]

One of the marked features in modern life is the rush toward the cities, which is characteristic of all the civilized world. In addition to sharing in this general tendency, the United States is in the unique position of having the population of many of its future cities presented to it as a free gift, moved with magic ease from the old world to the new.

In 1790, cities of 8000 inhabitants contained 3.35 per cent. of the urban population; in 1900, 32.9 per cent. In 1870, only 14 cities had a population of 100,000; in 1900, there were 38. In 1880 there was only one city with 1,000,000 population; to-day there are three. This growth is due more to the influx of persons from outside than to the increase of original population, and of the influx a large proportion consists of immigrants.

Thus, in 1900, the foreign-born constituted a little over one-eighth of the total population of the United States; and though they also constituted only one-tenth of the rural population, they formed one-fourth of the total population of the cities. These figures have a more

[48] *Seventh Special Report of the United States Commissioner of Labor,* (1894); *Report of the Industrial Commission,* vol. 15, pp. 449-492, "The Foreign Immigrant in New York City"; *Bulletin of the Department of Labor,* No. 13, (Nov. 1897), "The Italians in Chicago." Cp. *supra,* chapter v., C.

definite meaning when applied specifically. As is shown in the following table, with the exception of certain mill towns, the cities with the largest proportion of residents of foreign birth and parentage were these:

	Percentage of Foreign Born	Percentage of Foreign Parentage
Boston, Mass.	35.1	72.2
Fall River, Mass.	47.7	86.1
Providence, R. I.	31.8	66.5
Buffalo, N. Y.	29.6	73.8
New York, N. Y.	37.0	76.9
Philadelphia, Pa.	22.8	54.9
Cleveland, O.	32.6	75.6
Chicago, Ill.	34.6	77.4
Detroit, Mich.	33.8	77.5
Duluth, Minn.	39.6	79.8
San Francisco, Cal.	34.1	75.2

It would be natural that, after some residence in this country, immigrants should share in the general tendency toward urban life. But we find two factors which produce that result to-day, immediately upon immigrants' landing. The first, already referred to, is the change in recent years in the kind of the majority of immigrants. Coming from a lower social and economic class than formerly, with but little money, and hence with no power to go to the newer parts of the country, they are attracted to the settlements of those similarly situated who have come before. Community of language, kinship or friendship combine with poverty to produce constant accretion in any settlement once started; so that even those accustomed at home to country life and the cultivation of the soil, instead of following similar occupations here, become occupants of the sweat shop and the factory.

The second factor, which is responsible for so many other far-reaching consequences, is the change of race among immigrants. The races which came to us earlier

continued in the main the same habits of rural and agricultural life to which they were accustomed in Europe. But the newer races, as has been said, reverse their habits in this respect and tend to the cities. This is brought out by the following table from the census of 1900, giving the proportion of those born in certain specified countries who were found in the 160 principal cities of the United States:[49]

	Per cent.		Per cent.
Norway	22.4	England	46.3
Denmark	28.1	Germany	50.2
Wales	32.3	Ireland	62.0
Switzerland	35.3	Italy	62.4
Sweden	36.3	Poland	62.6
Holland	44.1	Russia	74.9
Scotland	46.0		

It is possible in some instances to follow this subject even further, and to show that recent immigration settles not only in our large cities but in the slum districts of those cities, and to compare the relative contributions of population made to those districts by the earlier and more literate, and the later and more illiterate. The Seventh Special Report of the United States Commissioner of Labor contains a study of the slum districts of New York, Philadelphia, Baltimore and Chicago. The report, which is exceedingly valuable and interesting, shows[50] that the proportion of those of foreign birth or parentage to the total population of the slums in Baltimore was 77 per cent.; in Chicago, 90 per cent.; in New York, 95 per cent.; and in Philadelphia, 91 per cent. The figures for the foreign-born alone are correspondingly striking. Of every 100 aliens, 40 were illiterate in the slums of Baltimore, 47 in Chicago, 59

[49] *Census of 1900*, vol. 1, p. clxxxvi.

[50] *Seventh Special Report of the Commissioner of Labor*, pp. 41, 44, 72, 160-163 (1894).

in New York, and 51 in Philadelphia; and of every 100 of these illiterate aliens, there were 67 males of voting age in Baltimore, 77 in Chicago, 78 in New York, and 85 in Philadelphia. From the same report it appears that southeastern Europe furnishes three times as many inhabitants as northwestern Europe to the slums of Baltimore, 19 times as many to the slums of New York, 20 times as many to the slums of Chicago, and 71 times as many to the slums of Philadelphia; also that the illiteracy of northwestern Europeans in the slums was 25.5 per cent.; of southeastern Europeans 54.5 per cent.; and of native Americans, 7.4 per cent.

G. ASSIMILATION [51]

It has been asserted [52] that in the early days of this country the majority of the great men were produced in the two States of Massachusetts and Virginia, which, more than any others, were homogeneous in race, religion, and civic and social ideals. It is said that taking history as a whole, the nations which have left the greatest mark in religion, in art and in literature, such as Judæa, Greece, Rome, France, Germany and England, were at the time of their greatness essentially homogeneous; and that decadence has in general followed the dispersal or mixture of races. There is undoubtedly much to be said in support of this view. So far as mere commercial and material progress is concerned a heterogeneous people may be as successful as

[51] See J. T. Buchanan, in *Forum*, vol. 32, pp. 686-694 (Feb. 1902); *Americans in Process*—Robert A. Woods, editor, (1902); *Hull House Maps and Papers; Special Report of United States Commissioner of Labor*, "The Italians in Chicago."

[52] Sydney G. Fisher, in *Forum*, vol. 14, p. 119 (Jan. 1893).

any. But where depth and not breadth is concerned, that freedom from distraction and multiplicity which results from the prevalence of a distinct type and the universality of certain standards and ideals, seems almost essential to the development of extraordinary products in any line.

If, as we have seen, a certain type was developed in this country, under relatively homogeneous conditions, is there not danger that in becoming a cosmopolitan people we shall not merely change but shall cease to have any distinctive type at all?[53] It should be remembered that the earlier immigration which settled New England, for example, was of a carefully selected class[54] and, until recently, the natural conditions of immigration have worked to produce the same selection. The social and institutional character of our country was developed not only from selected material, but arose from the strongest kind of forces operating upon the colonists after their arrival. "The first of these was the effect of settlement in an entirely new country, so far from the mother country as to be practically free from her influence, and so exposed to danger that it demanded extraordinary courage and self-reliance. Here was an influence of environment demanding the development of certain qualities at all cost, even on penalty of annihilation. With the extension of colonization westward, the same qualities were demanded, and have in recent times been made manifest in the mining camps, and on

[53] Eliot Norton, in *Annals of the American Academy of Political and Social Science*, vol. 24, p. 163 (July, 1904); Robert Hunter, in *The Commons*, vol. 9, p. 114 (April, 1904).

[54] When the voyage of the Mayflower was projected it was arranged that the "youngest and strongest part" of the congregation should go. Geo. F. Parker, in *Forum*, vol. 14, pp. 605-6 (Jan. 1893).

the cattle ranges of the far west just as they were in the earliest settlements. The second influence, and one which has been permanent and powerful, is that of established institutions. Owing to the fact that the majority of the early settlers were English, and that the immigration at first was extremely moderate, time was given to fix the institutions on the English model. Later, immigration from many different nations has been received into the mould thus prepared, and, not having the cohesion necessary for separate existence, has taken on this form.[55] The intermixture of races caused by the immigration of the nineteenth century, unlike that of former times, has not been due to a war of nationalities, it has been the absorption by a nationality of individuals from other nations. It has been an unequal contest of the individual immigrants against powerfully established national customs and firmly rooted institutions. This influence became especially powerful with the establishment of our national government, and has remained powerful ever since." [56]

Now, though it is true in a sense, that material progress is the foundation of culture and character, it is also true that material progress is but the soil in which national character grows. No matter how good the soil, if the stock is poor or atmosphere vitiated, the organic institutions arising from it will be dwarfed and imperfect. The social and industrial system having been once cast in a certain mould, any very diverse elements introduced into it in sufficient numbers may retard or destroy its satisfactory working. All these truths

[55] A German cast the deciding vote making English the official language of Pennsylvania.

[56] R. Mayo-Smith, "Assimilation of Races in the United States," in *Publications of the American Statistical Association*, new series, vol. 3, p. 431 (Dec. 1893).

are self-evident, but the optimism of our people, relying upon the comparatively easy assimilation of some millions of aliens during the nineteenth century, fails adequately to appreciate the problems of assimilation in the twentieth century.[57]

A word may be said as to the argument that the recent immigration bears no larger proportion to the total population than did the immigration before, say 1880, and hence cannot have any more disturbing effect upon our institutions. This argument overlooks the fact that the population into which the earlier immigration flowed was relatively homogeneous, and that the earlier immigration mixed much more with those already here than does the later. Much of our recent immigration settles in the midst of immigration immediately preceding it, and is almost as far removed from direct contact with native Americans as if it were still in Europe. Moreover, even immigrants who have been

[57] The bulk of the immigration now coming to us is of the peasant class. "But our fathers did not, and we do not as yet, declaredly propose to found a state on such a purely laboring class. The only social order consistent with our commonwealth is one in which all men are not only equal before the law, but have an essential unity in their motives and aspirations. Just so far as we admit these peasant people to a place with us, we inflict on our life the impoverishment of citizenly talent which their own unfortunate history has laid upon them. . . . I would ask the hopeful man to consider how long it would require to change himself or his descendants into the characteristic mould of body and mind of the peasant. Backward steps in the generations are always more easily taken than are those of advance, but all who have considered such changes will, I think agree with me that it would take some centuries of sore trial to bring the characteristic American to the lower estate, and the chance is that the breed would perish on the way." N. S. Shaler, "European Peasants as Immigrants," in *Atlantic*, vol. 21, p. 654 (May, 1893).

here for some time and have adopted American ideals, cannot exercise as powerful an assimilative influence as an equal number of the native born.

A democracy, to be a success—and we are trying it here on a hitherto unprecedented scale—depends on the intelligence of the average citizen. Wherever civic intelligence and initiative are low, democracy becomes impossible, and an oligarchy or an empire takes its place. The United States has had to suffer and is still suffering untold miseries from the reckless introduction for purposes of material gain of an alien people, to wit, the African negro. The same arguments were used for the admission of negro slaves that are now used for the admission of the cheapest European and Asiatic labor. Wherever a superior and an inferior race are brought together, one must rule; and one will withdraw itself socially and politically from the other. When this happens universal democracy ceases to exist, and no amount of preaching the rights of men or any other theoretical considerations will modify the result. As Professor Shaler has said[58] this result has already happened in the South; and in the North, society is beginning to experience a social stratification which is breaking up its former homogeneity, and, as we saw above,[59] is affecting profoundly the matter of race survival.

The question therefore arises, to what degree are the streams of population now coming to us essentially alien to our character and institutions. It has been already pointed out[60] that the immigration of the first eight decades of the nineteenth century was essentially akin

[58] *Atlantic*, vol. 21, p. 657 (May, 1893).
[59] Chapter vi.
[60] Chapter i., A.

to the colonial population which preceded it, and was either English-speaking or sufficiently intelligent and progressive to acquire the language and habits of the new country within a comparatively short period. There were here and there exceptions, as in the case of the Pennsylvania Germans; but, upon the whole, this statement is accurate. In other words, while the various immigrants differed to some extent in language, training and habits, their intelligence, their education, their initiative, and their ideals and purposes *were of the same general type.*

The most important factor in assimilation is, therefore, likeness of world standpoint. The next is probably knowledge of language. We have seen that the races which form the bulk of immigration to-day are ten times as illiterate as those which formed the bulk of our immigration a generation ago. In this respect they are much more than ten times as hard to assimilate, for the cohesive and centripetal force of common language increases in geometrical rather than arithmetical proportion to the units of those speaking it. It is of no consequence to say, as is often said, that immigrants of to-day are no more illiterate than those of 1870, who in general made good citizens. Times have changed, and to be illiterate to-day marks a man as shiftless or unfortunate in a way that was not true thirty or forty years ago. Whichever it is the immigrant's chance to be, it renders him more difficult to assimilate. We have to-day little Italys, little Russias, little Syrias, and so on, in our midst, vortex-rings of nationality, closed to the outside medium in which they live, though possibly shifting *en masse* from one place to another as the currents of economic demand bear them. Such results were not known with the earlier British, German and Scandi-

navian populations. Their superior energy and intelligence caused them to take part in everything that was going on, and where they retained their native language, it was either in addition to English, or the local papers published in their native language were read by all, and bridged the gulf between.

Ignorance of language, however, does away with even such influence of the outside world as might be exerted by the reading of local papers in the native language of the immigrant. It means ignorance of trade conditions, of political life, and of civic matters generally. It causes immigrants to be the prey of the padrone, the banker, the local political boss. Colonies of such immigrants are like hard-caked patches of clayey soil, unfertilized by the stream of public life flowing around, and unable to absorb the needed moisture even from contiguous earth. The keynotes of modern education are attention and suggestion. To a man who is ignorant of language, one-half at least of the power of suggestion from outside sources is cut off, and with this the force of attention is cut off likewise. In some cases, no doubt, individual initiative supplies the impetus to break through this wall, even for the adult. But, it must be remembered, a very large proportion of the immigrants who come to us are above school age, and, except what comes from observation in the much-restricted area of their daily life, are not likely to receive any education after landing.

It is for these reasons that the hope of assimilation is always fixed upon the public schools,[61] and it is said "no matter about the parents, they will soon be dead, the children will become good Americans." The writer

[61] See A. M. Shaw on the public schools of New York City, in *World's Work*, pp. 4204-4229 (Dec. 1903).

would not underestimate the power of compulsory education in this direction, but he would like to point out certain limitations not always observed in this connection. In the early days of the country nearly all the inhabitants contributed to the support of the schools, and took an interest in them. To-day there are hundreds of thousands of immigrant children and native-born children of immigrants whose education is being paid for by others than their parents. Here is a direct and increasing burden of assimilation put upon the community. The immigrant is getting something for nothing, and, while this is good for the child, it is demoralizing to the interest of the immigrant as a citizen. In the next place, though immigrant children are mentally quick and take high rank in their studies, it remains to be shown that the average is not held back by the unfamiliarity with English, and by ignorance of many things in the home. In spite of some institutions like the Educational Alliance in New York, which aims to teach the children enough English to enable them to enter the public schools, it is safe to assert that the burden on a teaching force, of educating a number of Southern and Eastern Europeans or Asiatics, is far greater than of educating an equal number of native Americans, and that the average result is no better.

Further than this, the average result in a broad sense cannot be as good. For, leaving out of account the important distinction between education and information, the usefulness of a particular piece of information depends to a great extent upon the general information in the scholar's mind, with which it can be correlated. A boy, reared in a family of educated citizens, unconsciously and by hearsay and imitation learns far more from his family and associates than he ever learns at

school, and he is in a condition where school training is of more value to him. Courses in history and government, flag exercises, and occasional readings of the Declaration of Independence in the schools have only a superficial influence. It is even said by competent observers, that the result of school education of immigrant children is often to alienate the children from their parents. The children cease to have much in common with their parents, in some cases feel socially above them, and in more cases contract a dislike for manual labor. In a large number of cases the parents are so occupied in trying to earn a living wage that the children are entirely neglected, and the whole aim of the parents is to be rid of them as far as possible. How different is this picture from that of the colonist's home of fifty or one hundred years ago. Is it surprising that the children of immigrants are the most criminal class in the community, as we have seen them to be?

Wherever there is a lack of assimilation, social ptomaines are created, and do their deadly work as surely in the civic body as in the physical body. The explanation is obvious. We have taken in immigrants faster than we can assimilate them, and while we put forth strenuous efforts to digest those already here, still larger numbers are put before us. A fire can be extinguished by too much fuel as well as by fuel of a low grade, and when both features are combined the result is but smoke and bad gases.

Not only are large masses of our recent immigrants utterly deficient in political ideals, or trained in theories of government widely diverse from and inconsistent with our own, but their ethical and religious ideals are fundamentally different. The wholesale perjury in recent naturalization frauds, and the habitual use of falsehood

in obtaining admission of children to public institutions, are but evidences of a widespread condition of immorality.

Difference in religious belief may be one of the chief causes of heterogeneity, and one of the greatest of hindrances to assimilation. Members of the same religious sect, especially if surrounded by others of a different faith, tend to become clannish and separatist, and to affiliate only with newcomers of like faith, or, as sometimes is the case in New York City and elsewhere, with those of like faith and the same race. Difference in religion is a powerful bar to intermarriage, as in the case of the Jews.

The statistics of religious belief, as collected by the answers given by immigrants to questions on that subject, are available only for the year 1899, the asking of such questions having been begun in that year and discontinued in 1900. It appears that in 1899 the total immigration was divided as to religious belief as follows:[62] Roman Catholics, 52.1 per cent.; Protestants, 18.5 per cent.; Jews, 10.4 per cent.; Greek Catholics, 4.0 per cent.; Brahmins and Buddhists, 0.9 per cent.; and miscellaneous, 13.9 per cent. The Roman Catholics came mainly from Austria-Hungary, Italy and Ireland; the Protestants from Germany, Scandinavia and Great Britain; the Jews from Austria-Hungary and Russia.

The classes of immigrants who do not assimilate are described in detail in various parts of this volume. Those who form the abnormal contribution of our foreign-born population to the dependent and delinquent classes, those who fail to adopt the American standard of living for themselves and their children, who fail to demand a fair living wage, who do not learn English,

[62] *Report of the Industrial Commission,* vol. 15, pp. 290, 291.

who go back and forth as "birds of passage" and form no permanent ties in this country, who herd together in isolated communities taking no interest in their neighbors or in public matters—these classes are the instances of non-assimilation, and their elimination is necessary to the health of the body politic.

In addition to the natural difficulties of the situation an artificial one is being added. Foreign countries, realizing that it is futile to attempt to check the exodus of workers, have begun to bend all their energies to maintain the allegiance of their emigrants, to induce them to send home their savings, and to return ultimately. Political, social and even religious influences are used to prevent assimilation as far as possible.[63] That such solidarity is accomplished in many cases appears from the ease with which certain nationalities can be and have been arrayed against immigration restriction, or any action tending to break up the system above described.[64] It is interesting to note that a New York judge recently refused to approve the incorporation of a club formed to inspire love of Hungary; and our consul at Budapest states that immigrants are to be taught to retain their European citizenship, and to remit their savings to Europe, and that it is expected to keep watch over the immigrants in this country by means of clergymen, newspaper men and others in order to secure these results.[65] Such attempts to hinder assimilation are not to be tolerated, and it is believed that they do not have the sympathy of the most intelligent immigrants.

[63] *Report of the Commissioner-General of Immigration, 1904*, pp. 43, 45.

[64] Cp. *infra*, chap. xiv., A.

[65] *Special Consular Reports*, vol. 30, p. 7 (1904).

CHAPTER IX

POLITICAL EFFECTS OF IMMIGRATION

A. POLITICAL TENDENCIES

THE early colonists of this country, though impatient of foreign control, were on the whole reverent of law and disposed to uphold the authorities constituted by the people. The later immigration was mostly from States and races long familiar with representative government. With the more recent immigration the case is quite otherwise. The more ignorant Italians, the Slavic races, the Syrians and other Asiatics, the Russian Hebrews,—all have come from lands where democracy is unknown, and where law is represented to the people by soldiers, tax collectors, and gendarmerie.

We may say at once that the political effect of the Teutonic immigration of the last century, which settled the Middle and Northwestern States, has been beneficial. The German, Scandinavian, and British immigrants have proved intelligent and conservative in public matters. They contributed, for example, in no small degree to conservative action upon the money question in 1896. There have been few socialists or agitators among them, and these have had no large following.[1] The city government of Milwaukee, with a foreign element of 86

[1] As a rule they vote the Republican ticket, as do some of the Italians. Of the 168 members of the Minnesota legislature in 1894, 47 were Scandinavian Republicans. The bulk of the Irish, many of the Hebrews, and some of the Slavs vote the Democratic ticket.

per cent., compares favorably with that of any of our large cities. It is notorious that populist and socialistic doctrines have found more adherents in States containing the largest proportion of native Americans than in those with a large foreign vote. Outside of New York City few of the obnoxious political bosses have been of foreign birth or parentage.[2] It is fair to point out, however, that this may not continue to be the case, and that the conspicuousness of the native bosses may be due in part to inherited influence and better knowledge of our political machinery.

In view of the relative unfitness of many of our recent immigrants for political life in a democracy, it is perhaps fortunate that hitherto they have shown but little disposition to become naturalized. The census of 1890 showed the percentage of foreign-born who were aliens to be as follows:[3]

Slav	21.4	British	9.3
Latin	29.7	German	9.7
Asiatic	85.7	Scandinavian	13.2
Average	32.0	Average	9.9

From this it appears that those races most akin to the original settlers show a greater inclination to take part in our political life.[4] The Slavic and Iberic races have constituted nearly seven-tenths of the total immigration in recent years, and seven-tenths of the male aliens of voting age have been in the country long enough to be naturalized. If we consider Massachusetts only,[5]

[2] See New York *Evening Post*, Dec. 15, 1894.

[3] Part II, pp. 600, 688, Cf. *Twelfth Census* (1900), vol. i, p. clxxvii.

[4] As to naturalization by Scandinavians and Germans in Minnesota, see K. C. Babcock, in *Forum*, vol. 13, p. 106 (Sept. 1892).

[5] F. A. Bushee, in *Publications of the American Economic Association*, vol. 4, pp. 122 ff. (May, 1903).

and make allowances for five years' residence and for illiteracy as to English, it appears that three-fifths of the Swedes and Norwegians, and more than one-half the Germans, Russian Jews, and Irish are voters; but of the Portuguese and Italians only one-third are voters; and if we take account of the time of residence, only about one-half of the Irish, Germans, and Scandinavians, 17 per cent. of the Portuguese, and 13 per cent. of the Italians. These figures are in the face of the fact that many who do get naturalized do so from selfish and not from public motives. There is the Italian or Slovak bird of passage who goes back and forth between this country and his own, and who gets out his first papers in order to facilitate passing inspection on his next trip, or to get municipal jobs which are limited to actual or intending citizens.

The enormous political power which can be exercised by the foreign-born is shown by the fact that of the males of voting age over one-quarter are foreign-born, and that nearly three-fifths of these latter have been naturalized. Indeed, the possible foreign vote of two generations hence is larger than the native vote of native parentage.[6] Although, as has been said, the result of most immigration has thus far been beneficial politically, in considering possible future effects there are certain dangers that should not be overlooked in a country committed for better or for worse to the doctrine of government by plurality of votes.

One of these dangers lies in the liberality with which the ballot is given, and in the fact that in some States aliens can take part in State and Federal elections. It is to be regretted that citizenship of the United States by

[6] See R. Mayo-Smith, in *Publications of the American Statistical Association*, vol. 3, pp. 411 ff. (Dec. 1893).

naturalization has not, in every instance, been made a prerequisite to the right to vote in the States; but anti-federalist jealousy of the central government was originally responsible for a different arrangement, and the provisions upon this subject have remained very lax down to the present time. In 1901, there were still twelve States which allowed aliens to vote, viz., Alabama, Arizona, Arkansas, Colorado, Indiana, Kansas, Missouri, Nebraska, Oregon, South Dakota, Texas, and Wisconsin. In Michigan, aliens who had declared their intention to become citizens prior to May 8, 1892, had the privilege. The period of residence within the State required has also varied very much. In 1902, in States allowing aliens to vote, six months' residence was required in Arizona, Colorado, Indiana, Kansas, Michigan, Nebraska, Oregon, and South Dakota. In other words, although native-born citizens under twenty-one years of age were not allowed to vote in the States above mentioned, an alien, ignorant of the language, who perhaps had never cast a ballot in his native land, was allowed to vote after being six months within the State. Only three States required an educational test: Connecticut, Massachusetts, and Mississippi. Recently, constitutional amendments have been adopted in some of the Southern States requiring the ability to read or to "understand" the State constitution; but these were designed to exclude ignorant negroes from the suffrage, and they are not material in our present consideration, because, as we have seen, very few of the recent immigrants go to the Southern States.

Another danger lies in the tendency of certain races, congregated in particular localities to vote as units, thus giving greater effect to that heterogeneity of foreign ideals already mentioned. In certain districts we have

numerous political organizations with "hyphenated names." Here the danger is not so much from the leaders as from the ignorance of the mass of the voters whom they influence—ignorance of things in general and especially of the moral and political truths underlying our government. It is probable that Tammany Hall could never have reached or retained its great influence in New York City without the help of the foreign vote; and the defeat of Mayor Low for re-election in 1903 was undoubtedly due in large part to the feeling of the Germans on the excise question, and of the Italian, Hebrew, and Greek pedlers on the enforcement of municipal ordinances enacted by the better sentiment of the community. The heterogeneity of these races tends to promote bossism, localism, and despotism, and to make impossible free co-operation for the public welfare. This condition is, of course, more apparent in the "vortex-rings" of population living without much intercourse with outsiders. In Chicago many of the Poles vote as Poles, not as Republicans or Democrats. In the mining regions of Pennsylvania, it is said, when a miner is asked his politics, the invariable answer is "Slovak," and that not twenty per cent. of the people know the name of the President of the United States.[7] Under these circumstances, it is not surprising that the price of votes is often as low as a dollar a head.[8] It is stated that among the Jews of our cities, local and business considerations determine their voting to a large extent, although among recent immigrants they take the lead in political interest, and have many non-partisan clubs for

[7] Edward A. Steiner, in *Outlook*, vol. 73, pp. 560, 564 (Mar. 7, 1903).

[8] Henry Rood, in *Forum*, vol. 14, p. 121 (Sept. 1892). See generally, Peter Roberts, *The Anthracite Coal Communities*, chapter xii.

political education. Until recently, the Italians have shown little interest in public matters. The chief rank in political activity must unquestionably be assigned to the Irish, and, in a less degree, to the Germans. The Irish have a natural liking for politics, and are easily organized. They enjoy a contest of any kind, and occupy a large proportion of positions on the pay rolls of Eastern cities.

Perhaps the chief political danger of the future lies not so much in the ease with which the ballot can be obtained, or in the tendency to vote along racial lines, as in the change of political ideals following the change in the racial composition of immigration. This difference in ideals between the earlier and the later immigration has been characterized by a French author[9] as follows:

"The ethnic character has a profound influence on the choice between the two modes of government. With some peoples individual autonomy—independence of character—is strongly traced, for example, among the Germanic nations. Each one engages only his extreme exterior in society. With nations of such temperament, family life is strongly developed; the *home* is the sacred ark. . . . With some other peoples—with the Latin nations in general—it is quite different; the autonomy is less refractory; they like to live in society, and prefer to discharge the functions of thinking and wishing upon others—the will not being carefully cultivated, it diminishes, and the State acts for the individual."

We can trace already some effects of the racial change in immigration, in the different government of our cities. It is impossible to govern a large city composed of diverse elements in the same way as a small city with a

[9] R. de la Grasserie, in *Revue Internationale de Sociologie*, vol. 4, p. 888, quoted by A. H. Hyde, in *Popular Science Monthly*, vol. 52, p. 388 (Jan. 1888).

homogeneous population. So we are tending to take more and more power from legislative councils, and to concentrate it in executive officers, such as mayors, heads of departments and commissions, in order to secure efficient control of the heterogeneous elements of our population. In the words of Professor Commons,[10] "we have actually begun to despotize our institutions in order to control these dissident elements, though still optimistically holding that we retain the original democracy." Whether such a change makes for good or for evil, time will show; but it is at any rate a profound alteration of our political system, and results largely from immigration.

B. NATURALIZATION.[11]

In view of the number of aliens coming to our shores, and the great political power which foreign-born voters can exercise, it is important to consider what the requirements have been as to naturalization, and how far they have safe-guarded the ballot.

The singular indifference of the public to the matter of naturalization, as to all subjects affected by immigration, is shown by the fact that our present naturalization laws are substantially the same as those established by the Act of Congress of April 14, 1802.[12] It is provided that the alien shall declare on oath before a State or Federal Court, two years before his admission, his inten-

[10] John R. Commons, in *Chautauquan,* vol. 38, p. 34, (Sept. 1903).

[11] For the history of this subject see H. Sydney Everett, in *Atlantic,* vol. 75, pp. 345-350 (March, 1895). For an account of recent naturalization frauds see *Senate Documents,* 58th Cong., 3d Sess., No. 63 (1904); *Message of President Roosevelt,* December, 1903; Report of Commission on Naturalization, *House Documents,* 59th Cong., 1st Sess., No. 46 (1905).

[12] U. S. Rev. St., §§ 2165-2174; Act of Mar. 3, 1903, § 39.

tion to become a citizen, unless he was a minor residing in the United States for three years before his majority. When he seeks finally to be admitted, he must take an oath to support the Constitution of the United States, and it must appear that he has resided in the United States five years at least, and one year within the State or territory, and that he is of good moral character. These facts generally must be proved by the testimony of two or more witnesses. Upon naturalization, the alien's wife becomes a citizen, even though she does not come to the United States until after his death. His children residing here also become citizens, but not if they come here after his naturalization. It has also been held that where an alien has declared his intention of becoming a citizen, his minor child, who attains his majority before his father completes his naturalization, may in some cases become a citizen without going through the process of naturalization.[13] The immigration act of 1903[14] provides that anarchists shall not be naturalized.

From the foregoing, it will be seen that practically any court, State or Federal, can naturalize aliens, and that a slight amount of testimony on the part of the alien and his friends is all that is required to support his petition. From the first of these circumstances, it results that the thoroughness of the process varies very much with the court administering the law, all degrees of laxity being found in different localities. Even in the Federal Courts, the practice is not uniform, and in several of our large cities where certain judges have applied the law with greater rigor, the business of naturalization has been transferred to other courts. In some localities,

[13] *Boyd* v. *Nebraska*, 143 U. S. 135.
[14] Act of Mar. 3, 1903, § 39.

lists of petitioners for naturalization are required to be posted in public places, probably on the theory that opposing political committees will be moved to expose fraud. The rules of the Supreme Court of the United States require the petitioner to file, ten days before his case is acted on, a paper stating the names and residences of the witnesses by whom he proposes to establish his claim.

Some of the judges of local courts who are keenly alive to the abuses of the present methods of naturalization, have attempted to remedy the defective legislation by strict rules of procedure. Something has been accomplished in this way in Pennsylvania, New Jersey, and New York, but there has been no uniformity of action, in spite of the efforts of Bar Associations and others interested.[15] The number of States requiring naturalization as a prerequisite to voting is gradually increasing.[16] Minnesota, for example, with the help of the alien vote, recently adopted a constitutional amendment disfranchising aliens.[17] But progress along this line is slow.

[15] In some of the county courts of Pennsylvania the judges have required applicants to mark sample ballots, write their names, speak English and show some knowledge of the institutions of the country. See Philadelphia *Public Ledger*, Aug. 24, 1897, and Dec. 4, 1897. In New Jersey, one judge has barred aliens who could not give intelligent answers to questions as to the national and city governments or who paid no taxes. See New York *Herald*, Oct. 5, 1897. In New York, a judge recently rejected sixty applicants on the ground that they had been in the country five years and were unable to speak English. See letter of Mr. Justice Pryor in New York *Sun*, Feb. 5, 1896.

[16] For a list of States where aliens can still vote see *supra* in this chapter.

[17] Chicago *Record*, Oct. 23, 1897. So great was the rush to become naturalized that "naturalization picnics" were common in all parts of the State.

From the census of 1900[18] it appears that there were then 1,070,126 male aliens of voting age out of a total population of about seventy-six millions. The number reported was about one-quarter of all the adult foreign-born males. The largest proportion of adult male aliens to all foreign-born males, is, naturally, among those in the country but a few years; yet it appears that the percentage of "aliens" and "unknown" in 1900 was slightly less than in 1890.[19] The figures for earlier decades are not available. The largest proportions of aliens among males of voting age, in 1900, for those born in Europe or Canada, were: Greeks, 57.8 per cent.; Hungarians, 53.1 per cent.; Italians, 53.0 per cent.; Austrians, 44.6 per cent.; Poles, 38.9 per cent.; Finns and French Canadians, 38.5 per cent.

In certain cases the indisposition to become citizens is due to the temporary character of residence on the part of aliens. This is especially true of the Slovak and Italian birds of passage, and of the Canadians who work part of the year in the United States, and then return home for part of the year. The large number of aliens among the natives of Ireland and Germany is due somewhat to the great number of females among immigrants from these countries.

The pressure for naturalization is principally due to two causes, the desire to get employment, for which first papers are a condition precedent, and the solicitation of political managers. Another cause, which will be adverted to hereafter, is the desire to make use of citizenship applications or certificates in foreign countries. In

[18] Vol. 1, p. 918. It should be noted that "aliens" in the census do not include persons who have taken out their first papers.

[19] See Roland P. Faulkner, in *Political Science Quarterly*, vol. 19, p. 44 (March, 1904).

regard to the first cause, in some States the competition of recently arrived immigrants has led to the passage of laws forbidding the employment of aliens who have not declared their intention to become citizens, upon or in connection with any State or municipal works.[20] Such laws exist in Idaho, Illinois and perhaps other States. In Pennsylvania and Wyoming none but citizens may be so employed. In New York, preference is to be given to citizens of that State. Preferences are also exercised in many municipalities, independently of statute. The influence which such a rule must exert is obvious, and not in all respects beneficial. It has been stated on apparently reliable authority that one-quarter of the Italians in the street-cleaning department of New York City obtained their positions by means of fraudulent naturalization papers. And the Deputy Superintendent of Elections recently said that from ten to thirty per cent. of the papers of all Italians in New York were fraudulent. The statute of Pennsylvania, passed some years since at the instance of those whose employment was affected by the influx of Slav miners, and imposing a tax of three cents a day upon aliens employed in the State, led to naturalization upon an enormous scale. This law was declared unconstitutional by the Federal Courts, but meanwhile the administration of naturalization by the various County Courts was found very diverse and defective; and even after agitation of the subject had resulted in the adoption of stricter and uniform rules, certain judges continued to administer the law as before.[21]

[20] On this subject see Frederick J. Stimson, *Handbook of American Labor Law*, and *Second Special Report of United States Commissioner of Labor* (1896).

[21] See Philadelphia *Times*, Dec. 6, 1897.

Just before important elections, the political managers of the great parties expend great energy and large amounts of money in naturalization. The numbers naturalized in the large cities run into the tens of thousands. With the pressure of sudden naturalization, in addition to the regular business of the courts, it is not surprising that the examination of applicants and of the witnesses who vouch for their character and period of residence, is often of the most superficial character. In New York City, during October, 1891, about seven thousand papers were issued, mostly by one judge, who examined each applicant and his witnesses, and signed his orders at the rate of two a minute.[22]

If a judge tries to be conscientious, the business is transferred to another who is less particular; and it is said that the vouching for applicants has in some instances reached the status of a regular occupation. It is alleged that during the existence of the Tweed ring in 1868 in New York City, the courts issued 68,000 naturalization certificates, many of them in blank to be filled by the political bosses and their agents. More recently, in one of the District Courts of the United States, the clerk was in the habit of swearing a lot of applicants and issuing certificates, no judge at all being present; and in one of the New York courts thousands of Italians were naturalized through an interpreter. Similar practices were discovered in Chicago and St. Louis. All this is a great contrast to the practice in foreign countries; France and Denmark, for example, require a ten years' residence and a rigid examination.

In addition to the frauds practised upon the courts,

[22] For further details as to these remarkable proceedings, see Senator W. E. Chandler, in *Forum*, vol. 13, pp. 131-2, (March, 1892).

recent investigations have disclosed wholesale forgeries of naturalization certificates, which were often sold to ignorant aliens who had no intention to commit any crime. It has been estimated recently that there are 50,000 fraudulent citizenship papers held in New York City alone; and it appeared in a recent investigation that one agency sold 4000, and another 2000 papers, in 1903. From the testimony in the trial of a former clerk of a Federal Court in New York, it appeared that this man sold naturalization certificates made out in blank with forged signatures, at from five to ten dollars each.

The State Superintendent of Elections in New York stated in 1904 that probably $600,000 was made in the preceding year in the sale of fraudulent naturalization papers, and that 100,000 such papers had been sold in that State. It was discovered by the Immigration Bureau that a counterfeiting club for the manufacture of such papers existed in New Jersey, run by the Italians. It was also shown that the issue of fraudulent certificates was a wide-spread system extending from Boston and Providence to Albany, New York, and south to Wilmington, Delaware. More than four hundred convictions were obtained for this crime in a short period in New York City. In St. Louis, 1342 papers were found, purporting to have been issued in one evening, a thing physically impossible for the office force. How much of the intelligent public spirit essential in a free democracy can be expected from the holders of such certificates?

The third inducement to naturalization is the use of papers by the immigrant as a protection upon returning to his native land, or as a help to pass inspection upon coming hither upon a second trip. It was, indeed, the large number of citizenship certificates presented to

the immigration authorities at New York by Italian immigrants who claimed they had been "home on a visit," which led to the discovery of a fraudulent issue of such papers upon a large scale. The celebrated case of Martin Koszta is an instance of the use made of naturalization papers abroad. Koszta, who was a Hungarian, came to this country in 1850 and declared his intention to become a citizen. He remained here two years, and then went to Turkey. While there, he was seized by an Austrian war vessel which threatened to take him back to Austria-Hungary. The commander of an American vessel at Smyrna, hearing of the affair, cleared for action, and demanded his release. He was then transferred to a French vessel, and subsequently released. Our government took the ground that Koszta had renounced his allegiance to Austria, and that the country of his birth had no claim on him. So far as this contention was based on the declaration of intention to become a citizen of the United States, it seems ill-founded; for the oath of allegiance to this country is taken only at the time of hearing on the final application. This case was the cause of great controversy between the United States and Austria, and attracted much attention at the time. Since, there have been many other instances where aliens, who have taken out first papers, have returned to their native country, and have claimed the protection of the United States when such country attempted to enforce its laws, especially those relating to military service. A considerable proportion of these are cases of former citizens of the Ottoman Empire and of Jews returning to Russia. Recently, an American warship was sent to Hayti at the request of certain Syrian merchants who claimed American citizenship. It was subsequently discovered that some of the certificates of

citizenship relied upon were fraudulently obtained, at a price of several hundred dollars.

That the practice of fraudulently obtaining and utilizing American naturalization papers is widespread at the present day admits of no question. The investigations of the lawyer appointed as special assistant to the Federal district-attorney in New York make it clear that there is an extensive and well-organized system of obtaining forged and fraudulent papers. The Italians get their papers in many parts of the country; the Canadians from Buffalo and Chicago; the Turks from Providence, R. I.; the Armenians from Troy, N. Y.; the Syrians from Waterbury and New Haven, Conn., and so on; but the worst place of all in this regard seems to be New York City. It is stated that seventy-five per cent. of the papers examined in Westchester County are fraudulent.

The use of fraudulent papers, by aliens in passing the immigration inspection,[23] led the bureau to undertake an investigation. The report of Special Inspector Marcus Braun fully confirmed what has been said as to the extent of the frauds, and the burden imposed upon this country as a result.[24] Professor Crawford of the American College at Beirut says:

"A characteristic of such returning Syrians is the almost universal custom to come back supplied with American naturalization papers; they do not, however, disclose such citizenship; in fact they conceal this circumstance as much as they possibly can. They still pose as Turkish subjects, and, probably because most of these naturalization papers are obtained fraudulently, they refrain from asserting their American citizenship until for

[23] See *Report of the Commissioner-General of Immigration, 1904*, p. 46.

[24] See *ibid.*, pp. 46-48.

some reason or other they get in trouble and difficulties with the Turkish authorities, when, and in which event, their certificate of citizenship is immediately produced, and the American consul called upon for protection, giving no end of inconvenience to our said consul."

In conclusion, a word may be said as to the relation of naturalization to immigration in general. When the immigration question is being discussed, many persons say: "Let everyone come in, but let us be very careful whom we allow to vote." It is believed that the facts set forth in other parts of this volume make it clear that even the strictest possible naturalization law would but touch the outskirts of the immigration problem. The ballot is but one way in which, at considerable intervals, the naturalized foreigner affects our life in one of its phases; whether alien or citizen, he is affecting our life in countless other and more fundamental ways all the time.

It is true, no doubt, that suffrage is a valuable agent in assimilation,[25] and that the presence of large bodies of aliens in the country is undesirable, for legal and diplomatic reasons. Nevertheless, the protection of the franchise is a matter of great importance in a country where mere numbers determine all elections.

[25] Mr. Gino C. Speranza, however, holds the opposite opinion. He contends that the politicians prevent assimilation as far as possible in order to handle the foreign vote more easily. *Outlook*, vol. 76, p. 928 (April 16, 1904).

PART III

IMMIGRATION LEGISLATION

CHAPTER X

HISTORY OF IMMIGRATION LEGISLATION

A. LEGISLATION FAVORING IMMIGRANTS

VARIOUS Federal statutes have been passed at different times to secure adequate protection and good treatment for immigrants during the voyage hither.[1] Thus, in 1819, it was provided that the master of a vessel should not carry more than two passengers for every five tons, and that a specified quantity of certain provisions should be carried for every passenger. This act also required the master to deliver, on arrival, sworn manifests showing the age, sex, occupation, nativity and destination of passengers. The act of 1855 limited the number that could be brought to one for every two tons, not including children under one year, and counting two children between one and eight years of age as one person. It also provided that each passenger on the main and poop decks of vessels should have sixteen feet of floor space, and on the lower decks eighteen feet.

The present regulations on this subject were established by the Act of 1882.[1a] This provides that, in a steamship, the unobstructed spaces shall be sufficient to allow one hundred cubic feet for each passenger on the main deck and the next deck, and one hundred and

[1] For the Carriage of Passenger Acts, see Act of 1819, c. 46; Act of 1847, c. 16; Act of 1847, c. 34; Act of 1848, c. 7; Act of 1848, c. 41; Act of 1849, c. 111; Act of Mar. 3, 1855, c. 213, 10 Stat. 715; *Revised Statutes*, §§ 4252-4277; Act of Aug. 2, 1882, c. 374, 22 Stat. 186.

[1a] See, however, Act of Feb. 20, 1907, Sec. 42, in Appendix II.

twenty cubic feet on the second deck below the main deck; and it forbids the carrying of passengers on any other decks than those mentioned. In a sailing-vessel, passengers shall be carried only on the main deck or the next deck, with an allowance of one hundred and ten cubic feet for each person. No one is to be carried in any space the vertical height of which is less than six feet.

There are also provisions regulating the occupancy of berths, light and air, ventilation, toilet rooms, food, and hospital facilities. Explosives and other dangerous articles are not to be carried, nor animals with or below passengers. Lists of passengers, as under the Act of 1819, are to be delivered to the boarding officer of customs. In order to protect immigrants from designing persons, it was provided, in 1884, that no keeper of a sailors' boarding-house or hotel, and no runner or person interested in one, could board an incoming vessel until after it reached its dock.[2]

Under the head of legislation favorable to immigrants may also be mentioned the Act of 1864 for encouraging immigration.[3] This act provided that the President should appoint a "Commissioner of Immigration"; that immigrants might assign their wages for a year or less or encumber their land in order to pay the expenses of emigrating; that no immigrant, unless he should declare his intention to become a citizen, should be liable to military service in the Civil War; that a United States Emigrant Office should be established in New York City, and the superintendent should make contracts with railroads and transportation companies for carrying

[2] Treasury Department, Circular of July 21, 1884.

[3] Act of July 4, 1864, c. 246, 13 Stat. 385, repealed by Act of Mar. 30, 1868, c. 38, 15 Stat. 58.

immigrants to their destination, and should provide them with all needed information; and that the Commissioner should furnish an annual report to Congress of the workings of his bureau. This act was in the nature of a War measure and was passed in order to fill the places of men sent to the front. After the end of the War, the army re-entered peaceful pursuits, and the necessity for the act ceased. Thereafter, the authorities of the State of New York took charge of the immigrant business at the port of New York until 1882.

State legislation favoring immigration has usually taken the form of commissions appointed to secure suitable colonists for the unsettled parts of the country. Such commissions exist in some of the Southern and Western States, and many of them send agents to other parts of the United States or to Europe to advertise the advantages of their respective States and induce immigrants to come thither. Under the Federal laws, States are exempt from the prohibition against advertising for immigrants in foreign countries.[4] The work of the State commissions is in many places supplemented by that of local voluntary associations having the same object.

B. STATE RESTRICTIVE LEGISLATION [5]

There have been comparatively few State laws on the subject of immigration as distinguished from laws re-

[4] Act of March 3, 1903, § 6. For the State laws creating immigration commissions see William C. Endicott, Jr., *Immigration Laws, State and National* (State Department, 1887).

[5] See William C. Endicott, Jr., *Immigration Laws, State and National* (State Department, 1887); *Second Special Report of the United States Commissioner of Labor,* "State Labor Laws" (1896); Frederick J. Stimson, *Handbook of American Labor Law.*

lating to the employment of aliens. The reason is that none of the States, except those on the Atlantic seaboard, have until recently been adversely affected by immigration to any appreciable extent, and because in 1882 the Federal government took charge of the whole subject to the exclusion of the States. The first legislation on the part of any State in relation to immigration was not the result of race prejudice or political influence; it was due essentially to the same causes which led Congress to legislate generally on the subject in 1882. The States on the Atlantic seaboard early found themselves subjected to serious annoyance and expense because of the large numbers of diseased and pauper immigrants which came upon their public institutions for support, and the same was later true of California and Louisiana.

The first attempt to regulate immigration in New York was an act passed in 1824, requiring masters of vessels to report to the Mayor of New York City the name, place of birth, age, and occupation of each immigrant. It also required a bond on demand of the mayor to save the city harmless from the support of a passenger becoming a public charge, and to return any person deemed likely to become a public charge to the place whence he came. The part of this act relating to reports, was held to be within the police power of the State and valid, but the other provisions were declared void.[6] Soon after, owing to the large number of aliens arriving in a diseased condition or becoming ill subsequent to arrival, an act was passed levying a tax of one dollar and fifty cents for each foreign cabin passenger and one dollar for each foreign steerage passenger or sailor, and a tax of twenty-five cents for each person on board any

[6] Act of Feb. 11, 1824. See *City of New York* v. *Miln*, 11 Pet. (U. S.) 103.

coasting vessel arriving at the port of New York. These moneys were to be used for the support of the immigrant hospital. It was held that this act was unconstitutional on the ground that the Constitution of the United States, Article I, Section 8, provided that Congress should have power "to regulate commerce with foreign nations."[7]

The statute was then modified so as to require a bond or, in the alternative, a tax; but in 1876 it was decided that the whole subject was national in its character and had been confided to Congress under the commerce clause.[8] Finally, in 1881, New York, under the guise of an inspection act to detect criminals, paupers, etc., attempted to levy a head tax of one dollar; but this also was declared illegal.[9]

The whole subject having been dealt with by Congress, it would not be profitable to give the history of the various State statutes in detail. They have related, in general, like those of New York already cited, to detecting diseased persons, criminals, paupers, and persons likely to become public charges, and providing for

[7] *Passenger Cases,* 7 How. (U. S.) 572 (1849).

[8] *Henderson* v. *Wickham,* 92 U. S. 259. Similar regulations in Massachusetts, Louisiana and California were declared void on the same ground. *Passenger Cases,* 7 How. 572; *Commissioners* v. *North German Lloyd,* 92 U. S. 259; *Chy Lung* v. *Freeman,* 92 U. S. 276; *Ah Fong,* 3 Sawyer, 275; *People* v. *Pacific Mail Steamship Co.,* 8 Sawyer, 640.

[9] Laws of 1881, c. 432. *New York* v. *Companie Générale Transatlantique,* 107 U. S. 59.

The Federal Act of May 31, 1870, c. 114 (16 Stat. 144); U. S. Rev. St., § 2164, expressly provided that no tax or charge should be imposed by any State upon immigrants from one country which was not equally imposed upon immigrants from any other country; and the requiring of a bond as a condition of landing was held to be a charge and in conflict with the Act. See *Re Ah Fong,* 3 Sawy. (U. S.) 144.

the return of such persons whence they came; or the giving of a bond by those bringing them to relieve the State or municipality in which they settled of any burden caused by their presence.[10] It is obvious that any State law regulating immigration must have proved nugatory sooner or later, owing to the impossibility of preventing the entrance of aliens from contiguous territory. This has proved a troublesome matter even in regard to Federal laws, and the wisdom of the framers of the Constitution in making the regulation of immigration a Federal matter is apparent.

C. FEDERAL RESTRICTIVE LEGISLATION [11]

The attitude of desiring some restriction placed on immigration is not of recent origin; it has existed in a greater or less degree since the foundation of the government. The Federalists and their successors, the Whigs and Republicans, were at various times strongly opposed to unlimited accessions of foreigners. Washington doubted the advisability of immigration except of certain skilled mechanics. He further objected to giving foreigners places in the government, with the exception of Lafayette. Under the presidency of John Adams, a residence of fourteen years was established as a prerequisite for naturalization, although, as we have seen, a reaction from the Federalist point of view later reduced the period to five years. Madison favored immigration; but Jefferson, though bitterly opposed to the Federalists, went even further than Washington in his objection, and expressed the wish that there were an ocean of fire between this country and Europe so that it might be impossible for any

[10] See, for example, the provisions contained in the *General Statutes of Massachusetts*, chapter 71.

[11] See Appendix III.

more immigrants to come hither.[12] At a later period, in the thirties and forties, when immigration had risen to an important volume and consisted for the most part of persons of a different race and religion from those already here, the nativistic sentiment became strengthened and led to the so-called Know-Nothing party.

The violence of the nativistic movement went so far as to precipitate Catholic riots in 1844, and to cause a re-enactment of the mortmain statutes in many jurisdictions. Great immigration, due to the Irish famine, occurred during the years from 1845 to 1850 and resulted in the arrival of about as many aliens as had been received during the whole twenty years previous. Most of this Irish immigration was Roman Catholic, and a nativistic outbreak caused the destruction of two Catholic churches in Philadelphia and the burning of a convent in Boston. In 1845, six nativistic Congressmen were elected to the Twenty-ninth Congress, four from New York, and two from Philadelphia. The Know-Nothing movement was an offshoot from the Whigs and later from the Republicans. It came to public attention prominently in 1852, and owed its name to the fact that it was a secret, oath-bound fraternity, and that its members, when asked concerning its real name and objects, always answered: "I don't know." In 1854, this party carried the election in Massachusetts and Delaware, and polled a great number of votes in New York. In 1855, it elected governors and legislatures in New York and four New England States, and in the South it was more or less successful in nine States. In 1856, it appeared as a full-fledged political organization and nominated Millard

[12] In 1812, the Hartford Convention proclaimed that "the stock population of these States is amply sufficient to render this nation in due time sufficiently great and powerful."

Fillmore as a candidate for the Presidency. In the election which followed, Buchanan, the Democratic candidate, received 174 electoral and 1,838,169 popular votes; John C. Fremont received 114 electoral and 1,341,264 popular votes; while Fillmore received eight electoral and 874,504 popular votes.[13] It is probable that this vote failed to show the full force of the native American sentiment; but the movement resulted in considerable agitation and pamphleteering, and its violence and partisanship caused a reaction which has ever since been a handicap to serious and impartial consideration of the immigration question. In 1856, eight of the thirty-two States had native American governors. In the Thirty-fifth Congress, in 1857, the party had five Senators and fourteen Representatives. In the Thirty-sixth Congress, it had two Senators and twenty-three Representatives, all from the South. But after the Thirty-sixth Congress it went to pieces rapidly and had no representation in any subsequent Congress.

The Know-Nothings charged that immigrants were corrupting the ballot and trying to establish ecclesiastical supremacy in the Republic. Unquestionably, many of the immigrants introduced new standards of living and of thought, and, as they were of a low grade of industrial and social intelligence, they became inevitably associated with much that was objectionable. A foreigner, writing in 1854 in opposition to the Know-Nothing party, admitted that the native population was being to some extent degraded through immigration, and stated that the taverns and drinking and gambling places were chiefly kept by foreigners. In 1850 statistics showed one pauper to every 317 natives and to every 32 foreigners; one criminal to 1619 natives and to every 154 for-

[13] Sydney G. Fisher, in *Forum*, vol. 14, p. 608 (Jan. 1893).

eigners.[14] It is probable that the Know-Nothing movement was not purely the result of solicitude for the moral welfare of the country or of apprehension for the permanence of religious liberty. The immigrants of the thirties and forties underbid the native labor and the prejudice caused by industrial competition probably played as important a part as any other factor in this movement. In the words of General Walker:

"Then came the foreigner, making his way into the little village, bringing, small blame to him, not only a vastly lower standard of living, but too often actual present incapacity even to understand the refinement of life and thought in the country in which he sought a home. Our people had to look upon houses that were mere shells for human habitation, the gate unhung, the shutters flapping or falling, green pools in the yard, babes and young children rolling about half naked or worse—neglected, dirty, unkempt."

Nevertheless, other political questions such as the tariff and the Mexican War, operated to prevent the nativistic movement from having full play. After the revolution of 1848 in Germany there was a large immigration of natives of that country, many of whom were Protestant; and the Know-Nothing movement was soon eclipsed in the great moral questions connected with the issue of slavery and the integrity of the Union.

During the period of the War, immigration fell to a very small figure and did not reach its maximum again for some time. In 1864, the government, feeling perhaps the need of unskilled labor to take up the numerous enterprises which were started at the close of the War, and to supply the place of that part of the population which perished or was rendered incapable of work,

[14] Sydney G. Fisher, in *Forum*, vol. 14, p. 611 (Jan. 1893).

passed the Act of 1864, mention of which has already been made in this chapter, intended to encourage immigration and to direct and facilitate its distribution to the regions where it was most desired. By 1866, immigration had increased to upwards of 330,000, and in 1868 the Act of 1864 was repealed; but it was not until 1873 that the high tide of immigration equalled the highest previous maximum, which had occurred in 1854. As we have seen, several States attempted to make immigration as a whole pay for the burdens of its dependent and delinquent members, and to preserve the body politic from the influx of undesirable individuals.

The first exercise of the power of Congress was not in order to regulate immigration generally, but to suppress one specific evil, the cooly trade.[15] It was due entirely to economic and social considerations, and had nothing in common with the Know-Nothing movement of the earlier period.

The regulations in regard to cooly traffic were not specifically directed against Chinese as such, but against a grade of cheap Oriental labor imported largely under a system of contract which amounted to a species of slavery. The Act of February 19, 1862,[16] and the Act of February 9, 1869,[17] prohibited the building, equipping, loading, or preparing any vessel licensed, enrolled, or registered in the United States for procuring coolies from any Oriental country to be held for service or

[15] Chiefly for historical reasons the subject of Chinese immigration and legislation has always formed a separate subject in Federal law; and the so-called Chinese Exclusion Acts have never been considered as "immigration acts." For this reason, the subject of legislation regarding Chinese will be considered by itself, in chapter xv.

[16] Chapter 27, 12 Stat. 340.

[17] Chapter 24, 15 Stat. 269.

labor.[18] Vessels employed in the cooly trade were to be forfeited, and the building of vessels to engage in this trade, as well as the trade itself, was made a criminal offence. The act did not interfere with the voluntary emigration of coolies or others if a certificate had been made before the consular agent of the United States, at the port of departure, certifying to the fact of such voluntary emigration. Naval vessels of the United States were given the power of search for violations of the act and of seizure upon proof of violations. The Act of 1875 [19] provided that any person contracting or attempting to contract to supply cooly labor to another should be guilty of felony. These provisions as to cooly trade are still in force.

The Act of 1875 also excluded women imported for immoral purposes, and convicts. The immigration of large numbers of unmarried Chinese laborers into California and adjoining States had resulted in a demand for Chinese and Japanese prostitutes, and several so-called companies had engaged in the business of importing them.[20] The act made such importing a felony and provided for the search of vessels suspected of containing persons of the excluded classes.[21] Convicts were mentioned in the statute on account of the widespread practice on the part of foreign courts of remitting sentences on condition of emigration.

The enormous immigration of 1882 and the agitation of the laboring classes, who were adversely affected by

[18] Cp. U. S. Rev. Stats. §§ 2158-2164.

[19] Act of March 3, 1875, c. 141, § 4, 18 Stat. 477.

[20] This traffic still exists. See *Report of the Industrial Commission*, vol. 15, pp. 771-794.

[21] It was afterwards held that these provisions applied to immigrants from all countries, whether Oriental or not, *United States* v. *Johnson*, 7 Fed. Rep. 453 (1881).

it, led to the passage in that year of the first general immigration act.[22] This law added to the classes already excluded, lunatics, idiots, and persons unable to care for themselves without becoming public charges. It also provided for a head tax of fifty cents to defray the expenses of inspection, and for the relief of immigrants in distress. The United States did not, however, at once take entire charge of immigration, but under the authority of the act made contracts for a time with various State boards appointed to supervise immigration matters within their respective States. This method was found to be cumbersome and lacking in uniformity and was abandoned after a few years' trial.

The next legislation had to do with contract labor.[23] After the recovery from the panic of 1873, industrial enterprises, especially in the mining regions, developed rapidly; and this in turn caused a growth in the ranks of organized labor. Conflicts arose between employers and employees, and the former attempted to resist the demands of the latter by importing from Europe large numbers of laborers under contract to work for lower wages than the labor unions asked. As the unions grew in power and became confederated into the powerful organization known as the Knights of Labor, a demand was made upon Congress for legislation to prevent the importation of the lower grades of unskilled labor under contract. This demand was complied with,[24] and the resulting acts were held to be constitutional under the

[22] Act of Aug. 3, 1882, c. 376, 22 Stat. 214.

[23] For a digest of the Contract Labor Acts and the decisions under them see the author's article in *Harvard Law Review*, vol. 11, p. 525 (1898).

[24] Act of Feb. 26, 1885, c. 164, 23 Stat. 332; Act of Oct. 18, 1888, c. 1210, 25 Stat. 567.

commerce clause.[25] The courts did much, however, to render this legislation nugatory by interpreting it so that the contract in question must have been a bi-lateral agreement made previous to the immigration of the laborer. In other words, an offer to employ followed by the immigration of the alien was held not to be within the prohibition of the law; and the employers desiring to import labor soon found means to let it be known that employment was to be had, without making any contract.

Certain classes of persons were excepted from the operation of these laws, partly by express provision and partly by the decisions of the courts. Thus, servants or domestics of foreigners temporarily residing here, persons to be employed in any new industry if suitable labor could not be found here, actors, artists, singers, lecturers, personal and domestic servants, ministers and teachers, were allowed to come in under contract. Contract laborers were to return whence they came,[26] and any coming unlawfully were liable to arrest and deportation within one year after landing.[27]

Immigration diminished from 1882 to 1886, when it was about 330,000 persons, but after this it increased until, in 1891, it reached more than 560,000. This increase, together with the ascertained inefficiency of the laws passed up to that time, led to a general codification and strengthening of the various statutes in the Act of

[25] *United States* v. *Craig*, 28 Fed. Rep. 795 (1886); *Re Florio* 43 Fed. Rep. 114 (1890); *Lees* v. *United States*, 150 U. S. 476 (1893).

[26] Act of Feb. 23, 1887, c. 220, 24 Stat. 415.

[27] Act of Oct. 18, 1888, c. 1210, 25 Stat. 567. See *Japanese Immigrant Case*, 189 U. S. 80 (1903); *United States* v. *Arteago*, 68 Fed. Rep. 883 (1895).

1891.[28] This act added to the excluded classes: paupers, persons suffering from a loathsome or dangerous contagious disease, polygamists and persons whose ticket or passage had been paid for by another or who had been assisted by others to come, unless it was affirmatively shown on special inquiry that they were not otherwise objectionable. The encouraging of contract laborers to emigrate by advertisements was forbidden, and the circulars and posters of steamship companies were limited to statements of sailings and passage rates.

The Act of 1891 enlarged the scope of the Immigration Bureau's work in two other important respects. First, it provided in terms for the return of all debarred aliens, and for the return within one year after landing of all aliens entering unlawfully or becoming public charges from causes arising prior to landing. Second, it took away from the courts the power to revise the decision of immigration officers that an immigrant should not be permitted to land;[29] but the courts had the power to pass upon the question whether the petitioner were an alien immigrant or not.[30] The Act of 1891 also established the office of Superintendent of Immigration, a title later changed to Commissioner-General of Immigration.[31] It was not, however, until 1894 that provision was made for the appointment of commissioners of immigration for the several ports.[32]

The extensions of the jurisdiction and of the list of excluded classes, provided by the Act of 1891, led, in 1893, to

[28] Act of Mar. 3, 1891, c. 551, 26 Stat. 1084. Held constitutional in *Ekiu* v. *United States*, 142 U. S. 651 (1892); *Japanese Immigrant Case*, 189 U. S. 86 (1903).

[29] *Ekiu* v. *United States*, 142 U. S. 651 (1892).

[30] *Re Simone*, 108 Fed. Rep. 942 (1901).

[31] Act of Mar. 2, 1895, c. 177, 28 Stat. 780.

[32] Act of Aug. 18, 1894, c. 301, 28 Stat. 391.

an extension of the administrative provisions covering the inspection and deportation of aliens.[33] The Act of 1893 was merely an administrative measure, which remained in force for ten years, and many decisions were made under it. It did not, however, add to the excluded classes. Its principal provisions were the requiring masters of vessels to furnish manifests giving certain information in regard to immigrants; the verification of such manifests by the surgeon; provision for boards of special inquiry, consisting of a number of inspectors; and compelling steamship companies to post, in the offices of their agents, copies of the United States immigration laws, and to call the attention of purchasers of tickets to them. It was also provided that no bond that an immigrant would not become a public charge should be received except by special authority of the Superintendent approved by the Secretary of the Treasury. This last provision merely enacted the growing practice of the department to discourage the giving of bonds, as these were found to be practically useless, owing to the expense, delay, and difficulty involved in attempting to bring suit upon them.

Mention has been made of the attempts to get rid of the interference of the courts in immigration matters. Formerly habeas corpus proceedings were frequently resorted to with the result that the efficiency of executive action was much impaired. In 1894 an act was passed providing that "in every case where an alien is excluded from admission into the United States under any law or treaty now existing or hereafter made, the decision of the appropriate immigration or customs officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of the Treas-

[33] Act of March 3, 1893, c. 206, 27 Stat. 569.

ury."[34] The result of this was that the right to determine whether an alien was an immigrant was taken from the courts entirely; and the immigration acts were made applicable to aliens who, having acquired a domicile here and then gone abroad, attempted to re-enter the country.[35] Unless, therefore, the United States admits that the immigrant is a citizen, the decision of the immigration officers as to that fact and as to their jurisdiction is final.[36] As this act, moreover, applies only when the decision is adverse to the right of the alien to land, if the decision be favorable, the Federal authorities can still question his right, as for example under the Chinese Exclusion Acts.[37]

Act of 1903.[37a]

During the ten years after the passage of the Act of 1893 there was much agitation for further regulation of immigration. Bills adding illiterates to the excluded classes passed one or the other house of Congress seven times in this period; and in 1896, such an act passed both houses at the same time, only to be met by a Presidential veto. The history of these measures will be given hereafter in considering the illiteracy test.[38] It was felt by every one familiar with the subject that the Act of 1893 left many loopholes for the admission of undesirables, and that, pending radical action by Congress, the machinery of exclusion needed repairing and strengthening. Some of these defects were enumerated

[34] Act of Aug. 18, 1894, c. 301, 28 Stat. 390.

[35] *Lem Moon Sing* v. *United States*, 158 U. S. 538 (1895).

[36] *United States* v. *Ju Toy*, 198 U. S. 253 (1905), overruling *Re Tom Yum*, 64 Fed. Rep., 485 (1894).

[37] *Li Sing* v. *United States*, 180 U. S. 490 (1901).

[37a] For the text of the Act of Feb. 20, 1907, see Appendix II.

[38] Chapter xii., c.

in the report of an Immigration Investigating Commission in 1895.[39] Further amendments were suggested by witnesses testifying before the Industrial Commission in 1901.[40] In 1902, a general meeting of the commissioners of immigration at the various ports was held to obtain an expression of opinion as to the changes most needed. Finally, a bill, prepared by the law officers of the Treasury Department, aided by the Immigration Bureau, the experts of the Industrial Commission, and by several other persons, was passed and approved March 3, 1903. On July 1, 1903, the Immigration Bureau, which had, until that time, been attached to the Treasury Department, was attached to the Department of Commerce and Labor.[41]

The full text of the Act of 1903 is given hereafter,[41a] but its most important provisions are as follows:

Scope of the Act. It is first to be noted that, whereas previous acts have contained the terms "immigrants" and "alien immigrants," the present act applies to "aliens." The difference between aliens and alien immigrants was always a troublesome one, and was supposed in a general way to correspond with the distinction between cabin and steerage passengers. In the earlier days, the practical distinction corresponded fairly well with the classification; but for a number of years the plan of not examining cabin passengers had been found to work badly by reason of the fact that inadmissible persons had travelled in the cabin to escape inspection. The Commissioner-General had, at various times, urged[42]

[39] *Report of the Immigration Investigating Commission,* pp. 40-50.

[40] *Report of the Industrial Commission,* vol. 15, pp. cv-cxvi.

[41] Act of Feb. 14, 1903.

[41a] Appendix III.

[42] *Report of the Commissioner-General of Immigration, 1901,* pp. 13, 36.

that alien cabin passengers should be examined, classified, etc., in the same way as the steerage; and while, in practice, under the present law, the method of inspection is different for the two classes, the scope of the law includes all aliens. There is no practical difficulty about the inspection of cabin passengers, because no form is fixed for the examination, and inspectors can exercise a tactful discretion in regard to how many of the questions on the manifests shall be asked.[43] The territorial scope of the act covers the United States and any waters, territory, or other place subject to its jurisdiction on March 3, 1903.[44] This includes, therefore, Porto Rico, Hawaii, and the Philippines. In 1904, the arrivals at insular ports amounted to 10,742. Immigrants to the United States from Porto Rico, Hawaii, and the Philippines (except Chinese) are not subject to the immigration laws and are not enumerated.[45]

Head tax.[46] The head money is fixed at two dollars, and is to be paid for every passenger not a citizen of the United States, Canada, Cuba, Newfoundland,[46a] or Mexico, whether coming by land or by water. Like previous taxes, this is a lien upon vessels bringing aliens and is a debt against the owners. The tax does not apply to aliens in transit[47] through the United States, nor to aliens who have paid a tax and later go from one part of the United States to another through foreign contiguous territory. In the case of aliens arriving overland, special

[43] *Report of the Commissioner-General of Immigration, 1902,* p. 17.

[44] Section 33.

[45] Dept. Circular, No. 43. As to the Philippines, see Act of March 18, 1904, c. 716, 33 Stat. 139, and Act of Feb. 6, 1905, c. 453, §6, 33 Stat. 692.

[46] Section 1.

[46a] Act of March 22, 1904, 33 Stat. 144.

[47] As to these, see Department Circular, Aug. 26, 1903, Rule 4.

arrangements for the payment may be made so as to facilitate travel. In practice the head-tax is paid by the steamship and transportation companies and added to the passage money charged the immigrant. The head-tax for passengers brought from foreign contiguous territory is collected from the railways, under the terms of an agreement between the Commissioner-General and certain Canadian railway companies, dated November 1, 1901.[48]

Excluded Classes.[49] The classes of persons excluded from admission to the United States are the following: (1) Idiots; (2) insane persons; (3) epileptics; (4) persons who have been insane within five years previous to arrival; (5) persons who have had two or more attacks of insanity at any time previous; (6) paupers; (7) persons likely to become a public charge; (8) professional beggars; (9) persons afflicted with a loathsome or with a dangerous contagious disease; (10) persons who have been convicted of a felony or other crime or misdemeanor involving moral turpitude, not including those convicted of purely political offences; (11) polygamists; (12) anarchists, or persons who believe in or advocate the overthrow by force or violence of the government of the United States or of all government or of all forms of law, or the assassination of public officials;[50] (13) prostitutes; (14) persons who procure or attempt to bring in prostitutes or women for the purpose of prostitution; (15) those who have been, within one year from the date of application for admission to the United States, deported as being under offers,

[48] Department Circular of Aug. 26, 1903, Rule 2. For the agreement mentioned in the text, see *Report of Commissioner-General, 1902*, pp. 46-48. This agreement was dated Nov. 1, 1901. There were also prior agreements dated Sept. 7, 1893, and Mar. 26, 1896.

[49] Section 2. See Appendix II. [50] Compare Section 38.

solicitations, promises or agreements to perform labor or service of some kind therein; (16) any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes; but any person in the United States may send for a relative or friend without thereby putting the burden of this proof upon the immigrant.[51]

Through an oversight in drafting this act, which was intended to be a complete codification of existing law, no mention was made of contract laborers among the excluded classes. But, although the act[52] repeals all others and parts of others inconsistent with it, it has been held that contract laborers are still excluded under the previous Acts of 1885 and 1888. That this is a proper construction is shown by the fact that the present law contains numerous provisions in regard to contract laborers. In fact this very section (36) re-enacts the exemptions from the contract labor acts, viz.: skilled laborers, if others of like kind unemployed cannot be found in this country, professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, and persons employed strictly as personal and domestic servants.

Criminal Offences against the Immigration Acts. For the purpose of effectually excluding the classes mentioned in the act as to be excluded, certain things have been made crimes against the United States. These are:

[51] It will be noted that the additions to the classes excluded under earlier acts are: epileptics, persons previously insane, beggars, anarchists, procurers, and contract laborers who have been deported within a year previous to arrival.

[52] Section 36.

(1) Importing, holding or attempting to hold any woman or girl for immoral purposes;[53] (2) prepaying the transportation or encouraging the migration of aliens under any offer, solicitation, promise or agreement, parol or special, expressed or implied, made previous to the importation of aliens, to perform labor in the United States;[54] (3) encouraging the migration of aliens by promise of employment through advertisements in foreign countries;[55] (4) encouraging immigration on the part of owners of vessels and transportation companies by any means other than communications giving the sailings of vessels and terms of transportation;[56] (5) bringing in or attempting to bring in any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States;[57] (6) bringing in by any person other than railway lines of any alien afflicted with a loathsome or with a dangerous contagious disease;[58] (7) allowing an alien to land from a vessel at any other time and place

[53] Section 3.

[54] Sections 4 and 5. This conflicts with Section 2 in so far as it contains no exception as to skilled labor.

[55] Section 6. [56] Section 7. [57] Section 8.

[58] Section 9. This last provision, in reference to bringing in diseased aliens, is of the greatest importance, as it is provided that, if the disease could have been detected at the time of embarkation, the person or company bringing in the alien is liable to a fine of $100, and no vessel is allowed to clear until such fine is paid. The purpose of the section is not merely to preclude the bringing in of diseased aliens; but to prevent the spread of disease during the voyage to those previously healthy. Such persons might not develop symptoms until after passing the inspection, and they would thus render the inspection nugatory as a means of preventing the disease in this country. The efficacy of this provision is shown by the fact that during the year 1904, fines amounting to $28,400 were imposed, of which all but $2500 was at the port of New York. See *Report of the Commissioner-General of Immigration, 1904*, p. 41.

than that designated by the immigration officer;[59] (8) refusing or neglecting to return rejected aliens to the port from which they came or to pay their maintenance while on land;[60] (9) refusing or neglecting to receive and return aliens arrested within three years after entry as being unlawfully in the United States;[61] (10) knowingly or wilfully giving false testimony or swearing to any false statement affecting the right of an alien to land is made perjury;[62] (11) assisting any anarchist to enter the United States, or conspiring to allow, procure, or permit any such person to enter;[63] (12) failing to deliver manifests as provided in sections 12, 13 and 14.[64]

Rejection of Diseased Aliens. It is provided that the decision of a Board of Special Inquiry, made upon the certificate of the medical officer, shall be final as to the rejection of aliens with loathsome or dangerous contagious diseases, or with any mental or physical disability which would bring them within one of the excluded classes.[65] This is construed to mean that the alien must be afflicted with a dangerous or a loathsome contagious disease, or be an idiot or an epileptic, etc. In such cases there is no appeal, and section 25, providing for an appeal in certain cases, is considered as modified by section 10. Section 10 is also open to the construction that wherever a medical officer certifies to a mental or physical defect which would make an immigrant likely to become a public charge, he should be excluded without appeal. But this construction has not been adopted and the certificate of the medical officer is treated merely as a piece of evidence bearing upon the likelihood of the alien becoming a public charge, and

[59] Section 18. [60] Section 19. [61] Section 21.
[62] Section 24. Cf. U. S. Rev. Stats. § 5392.
[63] Section 38. [64] Section 15. [65] Section 10.

is generally neutralized, as explained elsewhere, by the promise of somebody to look after him.[66] It is said that there is often a determined effort made through political influence to secure the admission of a diseased alien having friends here, though some Congressmen have very properly declined to interest themselves in immigration cases.

It is further provided that where a rejected alien is helpless, from sickness or infancy, and needs the protection of another alien coming with him, both shall be returned, in the same manner as is usually done in the case of other rejected persons.[67] Where a contract laborer, suffering from a loathsome or dangerous contagious disease other than one of a quarantinable nature, is held as a witness in a prosecution for violation of the contract labor law, he is not to be permitted to land for medical treatment.[68] Whenever an alien has taken out his first naturalization papers and sends for his wife or minor children, if any of these persons contract a contagious disease during the voyage, they are to be held and not to be deported if they can be cured or rendered harmless to other persons.[69]

Manifests. Masters of vessels are required to deliver to the immigration officers, on arrival, manifests prepared at the time of embarkation, giving the following facts in regard to aliens on board: (1) Full name, age, and sex; (2) whether married or single; (3) occupation; (4) whether able to read or write; (5) nationality; (6) race; (7) last residence; (8) port of landing in the United States; (9) final destination; (10) whether hav-

[66] A letter of the Commissioner-General of Immigration, Apr. 17, 1905, instructs all officers to give great weight to certificates of "poor physique."

[67] Section 11. [68] Section 19. [69] Section 37.

ing a ticket to such destination; (11) by whom passage paid; (12) whether in possession of $50, and if less, how much; (13) whether going to join a relative or friend, and if so, the name and address; (14) whether in the United States before and if so, when and where; (15) whether ever a dependent or delinquent; (16) whether a polygamist; (17) whether an anarchist; (18) whether a contract laborer; (19) what is the alien's condition of health and if deformed or crippled, and if so, for how long and from what cause.[70] These manifests are made up chiefly from the answers given by the immigrants to the ship's officers. Many of the questions seem very absurd; for, of course, no one is likely to admit that he belongs to any of the excluded classes. There is a popular impression in this country that immigrants are required to be in possession of a certain amount of money; but this is an error. Under the Act of 1893 the manifest was required to state whether the alien had $30 or less. This, like the provision of the present act regarding the possession of $50, was simply for statistical purposes, and had no bearing upon the alien's chances of admission, further than as it might show him liable to become a public charge. In considering the latter question, however, attention is paid only to the money actually produced by the immigrant; and hence it may fairly be said that the question on the manifest is purely for statistical purposes. Frequently, immigrants are thoroughly coached as to what answers they shall give to the questions before leaving the port of embarkation; and in other cases they are coached during the voyage. On inspection, therefore, the answers, in many instances, do not agree with the information on the manifest. In respect to the amount of money the change may be a truthful one, for, through the purchase and sale of

[70] Section 12.

baggage, gambling and in other ways, the sum which an immigrant has when he arrives is frequently quite different from that with which he started.

Manifests are to contain not more than thirty names each. Each alien or head of a family is to be given a ticket with his name on it for convenience in identifying him for inspection, a number or letter designating the manifest. Each manifest is to be verified by the signature of the ship's officer, and his oath must be taken before an immigration officer, on arrival, to the effect that the surgeon on the vessel has made an examination, and, that, from the report of the surgeon and his own investigation he believes that none of the aliens are of the excluded classes, and that the information on the manifests is true.[71] This provision accomplishes little except, in some instances, the encouragement of perjury. The ship's officer in most cases knows nothing about the immigrants. He can perfectly well make oath that the information is true to the best of his knowledge and belief, and, in cases where he does know, there is usually no means of proving whether he knows or not.

The ship's surgeon is also to sign and make oath before an immigration officer at the port of arrival, stating that the manifests are true in all particulars as to the mental and physical condition of the aliens. This requirement has more sense than the last, but, as shown by the amount of fines collected under section 9 of the act, in many cases it is of no value.[72]

There is also a penalty for failure to deliver manifests of all aliens on board of a vessel.[73] Although in terms this section would seem to cover the case where all the information required is not given, it has practically been construed otherwise and many manifests contain

[71] Section 13. [72] Section 14

numerous blanks. The law should be made more definite in this particular.

Examination of Immigrants. Upon the arrival of a vessel, immigration officers are required to proceed on board to inspect the aliens; or they may order their temporary removal to a proper place for inspection. This removal is not to be considered a landing or to relieve the transportation companies of any obligation in regard to detaining the aliens.[74] In practice, at most ports, the first and second cabin passengers are examined on the ship, in order to prevent delay and hardship, the majority of them being either American citizens or foreign officials or tourists. The steerage passengers are removed in barges to the immigrant station on an island or on the mainland, and are inspected there. The physical and mental examination is by officers of the Marine Hospital Service, or other surgeons who may be designated for the purpose.[75] The Commissioner-General, with the approval of the Secretary of Commerce and Labor, is given power to prescribe rules for the entry and inspection of aliens along the Canadian and Mexican borders, so as not to impede travel more than is necessary; and he may make contracts with the transportation companies for the same purpose.[76]

Detention and Return of Aliens. The owners, officers, and agents of any vessel bringing aliens are required to prevent their landing except when designated by the immigration officers. Failure to take due precautions to prevent escape is made a misdemeanor to which a heavy penalty is attached. Any alien landing at another time and place than that designated by the immigration officers is to be deemed unlawfully in the

[74] Section 16. [75] Section 17.
[76] Section 32.

United States and to be deported.[76] All persons brought in violation of law are to be returned immediately to the countries whence they came, and, if practicable, on the vessels bringing them. The cost of maintenance while in detention, and the expense of return, is to be borne by the owners of the vessels, and neglect or refusal to pay the cost of maintenance or to detain and return rejected aliens to the port from which they came is a misdemeanor punishable by fine; and no vessel is to be entitled to clearance from any port while such a fine is unpaid. Under this section, it is to be observed, the owner of the vessel is made an absolute insurer of the detained person pending his return;[77] while failure to adopt due precautions to prevent landing, mentioned in section 18, must be shown to be wilful or negligent.[78] It has been suggested that section 18 should be amended so as to make the duty of the owner of the vessel absolute.[79]

The deportation of any contract laborer may be suspended by the immigration authorities if his testimony is needed to prosecute offenders under sections 4 and 5 of the act, and in such a case the cost of his maintenance during the suspension of deportation is to be paid by the government.[80]

Any alien coming in violation of the law, and also any alien found a public charge in the United States from causes existing before landing, is to be deported to the country whence he came, at any time within two

[76] Section 18.

[77] *United States* v. *Warren*, 58 Fed. Rep. 559.

[78] *United States* v. *Spruth*, 71 Fed. Rep. 678.

[79] *Report of the Commissioner-General of Immigration, 1904*, p. 103.

[80] Section 19.

years after his arrival. The expense, including one-half the cost of inland transportation to the port of deportation, is to be borne by the person who brought him in, or if this cannot be effected, at the expense of the government.[81] This, it will be observed, extends the period of deportation of public charges to two years. The original draft of the act made the period three years, and numerous public authorities have desired that the period should be made even longer, say five years.[82] It has also been suggested that every case of a public charge, which the surgeon fails to certify to be due to disease or physical disability, should be taken before a board of special inquiry to determine whether he was a person liable to become a public charge at the time he landed.

The provision that deportation can take place only where pauperism results from causes arising before landing is an unfortunate one. In many cases it is difficult to show that this is true; although, considering the number of immigrants landing with poor physique, one may be morally certain that many are destined to become public charges shortly after arrival. It would be much better to provide that all immigrants should pass through a probationary period of five years, and if at any time during that period they fall into classes that

[81] Section 20.

[82] "Only those cases are now held to come within this section in which some physical disability is certified by the surgeons to be the cause of the alien becoming a public charge. I do not find this limitation in the law, which I believe to be susceptible of a much broader interpretation. It seems to me that under it all aliens who were *in fact* at the time of admission paupers or persons likely to become public charges, though this fact may not have been detected at the time of inspection, should be deported." Report of Commissioner at New York, 1904.

would be excluded if applying for admission, they should be deported.[83] Some question has been made of the constitutionality of such a provision; but in view of the decision in the Turner case it is believed that there is no constitutional prohibition against deporting any alien who may be found objectionable.[84] Such a plan, if adopted, should be limited by a discretionary authority vested in some board or officer; for the reason that certain causes, arising subsequent to landing, such as explosions or accidents of various kinds, for which the immigrants might not be at all responsible, might deprive them of the power of self-support, or compel them to apply for medical relief. It is believed, however, that these cases would be few in comparison with the number who could rightfully be returned to foreign countries.

If the Secretary of Commerce and Labor is satisfied that an alien is in the United States in violation of the act he may, within three years after his entry, order him to be arrested and deported, as provided in the last paragraph; and the neglect or refusal of the master of the vessel to take such a person on board and return him whence he came renders him subject to the penalties provided in section 19 as to deportation of aliens rejected on examination.[85] And even the decision of a board of special inquiry, that an alien is not a contract laborer and is entitled to land, is not *res adjudicata* of such question, and does not prevent the Secretary from instituting proceedings to have the question retried. In other words, the Secretary may review the right of the alien to land,

[83] Cp. Report of Commissioner at New York, 1904. *Report of Commissioner-General of Immigration, 1901*, p. 37.

[84] *United States* v. *Turner*, 194 U. S. 279 (1903).

[85] Section 21.

not only on appeal, but within three years after his admission.[86]

The deportation of aliens arrested as illegally in the United States, under section 21 of the act, is to be to the trans-Atlantic or trans-Pacific ports from which they originally embarked. This is to be so even if they came into the United States from contiguous territory.[87] The object of the provision is chiefly to insure the return to Europe and Asia of persons coming in from Canada or Mexico. Formerly such aliens were taken to the border, and although in some cases the railroads took them to the ports of arrival in Canada and Mexico, yet, strictly, neither the transportation companies nor the governments of those countries had any authority over them, and they could demand their liberty and come in again over the border at any unguarded point. Thus, the inspection on our seaboard was rendered practically futile, for those rejected or likely to be rejected simply shipped for foreign contiguous territory and then came in over the border. Under the present arrangement such persons, if caught after coming in through Canada, are returned by New York.

Bonds and Guaranties. No bond or guaranty, written or oral, that an alien shall not become a public charge is to be received from any person, company, corporation, charitable or benevolent society or association, unless authority to receive the same shall in each special case be given by the Commissioner-General, with the written approval of the Secretary.[88] And by a rule of the department no application for the admission of a debarred alien under bond is to be considered except in cases in which deportation would involve the separation of immediate families, and in which the expense of

[86] *Pearson* v. *Williams*, 136 Fed. Rep. 734 (1905).
[87] Section 35.
[88] Section 26.

maintenance, while awaiting the decision of the matter of the bond, is covered by a deposit.[89]

The wise purpose of the above provision seems clearly to be to limit bonds or guaranties to special and exceptional cases. In practice, however, these provisions have often been rendered nugatory from the custom of boards of special inquiry in considering the verbal guaranty of a friend or relative that the alien shall not become a public charge *as a piece of evidence* bearing upon the question whether he is likely to become a public charge. The result is that at least three-quarters of these "L. P. C." cases admitted by boards, are admitted upon such oral guaranties, and as no penalty attaches to the non-observance of such promises they are but little regarded. This part of the law is, therefore, frustrated and a big loophole created through which the very worst elements of immigration can enter. During the administration of Commissioner Williams at New York a rule was made that persons should be admitted on the promise of support only where the promisor was legally liable for such support. It would be well if such a provision were added to the statute.

D. INSPECTION AND REGISTRATION OF IMMIGRANTS[90]

The systematic and uniform examination of aliens began with the establishment of the Immigration Bureau in 1891. Under the present law, the Commissioner-General has general supervision of the administration of immigration matters. He can detail officers to visit penal

[89] Dept. Circular, Aug. 26, 1903, Rule 20.

[90] Cp. Dr. Allan McLaughlin, in *Popular Science Monthly*, vol. 66, pp. 357-361 (Feb. 1905); *Report of the Commission appointed by the President to investigate the Condition of the Immigrant Station at Ellis Island* (1904).

and charitable institutions and ascertain the number of aliens therein, and he may send officers abroad to study conditions of immigration.[91] The Commissioner-General is under the Secretary of Commerce and Labor, or practically, one of the assistant Secretaries of that department. The Secretary appoints all immigration officers and employees and fixes their compensation.

In spite of the fact that the Bureau has now been in existence fifteen years, the inspection of immigrants varies somewhat at the different ports, according to the number to be inspected, the importance of the port, and the physical accommodations for such service. Inasmuch as three-fourths of all aliens pass through the port of New York, a brief description of the practical method of inspection there may be of interest.

When a ship arrives in New York harbor, telegraphic notice of its entrance is sent ahead, and the vessel is boarded by the State quarantine inspectors, and by the immigration inspectors and surgeons. The State authorities examine first for diseases which would subject the vessel to quarantine, and the immigration inspectors and Marine Hospital officers examine all the first and second cabin passengers. The examination of cabin passengers is a comparatively recent thing and was necessitated by the fact that many inadmissible aliens undertook to travel in the second cabin to avoid inspection. In the examination of passengers, inspectors can use their discretion as to asking any or all of the questions on the manifests, and can avoid absurd and unnecessary inquiries. Upon the completion of the cabin inspection, the ship's surgeon reports any persons in the ship's hospital. If advisable, these are presently transferred to the immigrant hospital.

[91] Act of March 3, 1903, Section 22.

The steerage passengers and any other aliens held by the inspectors are then taken with their baggage upon barges and carried to Ellis Island. They enter a large general room separated from the rest of the building by iron gratings. The main hall, which is on the second floor, is also divided lengthwise by gratings into a series of parallel passageways. Before reaching these, however, immigrants have to pass in single file before two surgeons of the Marine Hospital Service, stationed a little distance apart, who divide the inspection between them, one examining general physique, and the other for trachoma. Any doubtful individuals are held for a more thorough physical examination, and idiots, insane, and diseased persons are certified as such. Minor defects are noted on the immigrant's card mentioned below, which he has already received on the ship, and he is passed along for general inspection.

The women are examined individually by a matron or her assistants, whose business it is to ascertain whether or not they are pregnant, as this increases the probability of their becoming public charges unless they can produce satisfactory evidence that they will be taken care of and supported. Persons with loathsome or dangerous contagious diseases, epileptics, idiots, insane persons, and those physically defective so that they are liable to become public charges, and pregnant women, are at once held for examination before a board of special inquiry. The remaining immigrants are then segregated into columns which pass down the various passageways above referred to. On the steamer, each immigrant is given a card with his name and a number or letter which tells the particular manifest on which his name appears; and, in marshalling immigrants for examination by the inspectors, care is taken that those appearing on the same

manifest shall proceed along the same passageway. At the end of each passageway is a desk at which sits an immigrant inspector. When the alien reaches the inspector he produces his card and the officer finds his name upon the manifest. The immigrant is then asked substantially the same questions which he has already answered at the time of the preparation of the manifest, and any discrepancies between his answers and the statements on the manifest are noted on the latter in red ink. The immigrant is also required at this time to show the amount of money which he has in his possession; and this also is noted on the manifest. In general, at this primary inspection, which is the only one to which nine-tenths of all immigrants are ever subjected, no steps are taken to ascertain whether the answers given are correct or not; indeed, such verification is in many cases impossible. Thus, while it would be comparatively easy to ascertain whether an immigrant could read or write, it is utterly impossible to ascertain whether he has been a convict; whether he is a polygamist or anarchist; or, unless his appearance indicates it, whether he has been insane within five years previous. In the main, if the answers given appear to be truthful, if the immigrant is of good physical appearance, and, considering his ability to work, and his age, sex and occupation, if he has money to support him until he can find employment, he is immediately passed. If, however, the inspector has a doubt about his right to land, his card is marked "S. I." and he is detained before a board of special inquiry [92] and conducted to another part of the building. Those who are not detained pass into another room, where they can have their money changed into United States currency, buy tickets to their destination, and obtain information of all sorts

[92] Act of March 3, 1903, section 24.

in regard to proceeding on their way. Quite frequently, the right of persons to land is dependent upon the existence and responsibility of some other person, as a husband or parent, whom the immigrant is to join. From this cause, also, the immigrant may be detained; and then a telegram is sent to the friend or relative requesting him to come and take the new arrival away. Immigrants also have the assistance of the representatives of the missionary and charitable societies of the various races who are allowed at the Island. These societies provide work for aliens after landing, assist in finding their relatives and friends, and are in many ways useful.

The immigrants permitted to land, who have obtained all necessary information, have exchanged their money, and are otherwise ready, are taken on board the ferry boat which runs every hour, and landed at the Battery. Those destined to points outside of New York City are looked after until they take their trains, in order to protect them from all kinds of crooks, sharpers, agents of the padroni, and boarding-house keepers.

The boards of special inquiry, above referred to, consist of officials selected by the Commissioner-General.[93] At New York several are usually in session all the time. They now consist of three inspectors, the decision of two of whom is final as to the immigrant's right to land, subject to appeal, first to the commissioner at the port, then to the Commissioner-General, and finally to the Secretary of Commerce and Labor. Each board has the assistance of a stenographer and an interpreter, although most of the primary inspectors as well as those serving upon the boards of special inquiry are familiar with a large number of languages. The sessions of the board are private, but the immigrants are sometimes permitted to have coun-

[93] Act of March 3, 1903, section 25.

sel present. The examination is usually conducted by the president of the board, and the evidence is taken by the stenographer in English and written out. At the hearings all the facts bearing upon the right of the immigrant to land are considered, and, if an immigrant is to join friends or relatives, they, also, are brought before the board and examined as to their ability to support the new arrival and such other facts as may tend to establish the truth or falsity of the information on the manifest. Where a number of aliens come from one locality, examination before the board frequently throws light on their history and intention. For example, where a large number from one locality are destined to the same or neighboring localities in the United States, there is a strong presumption that they are contract laborers; and, while this fact perhaps could not be established from the testimony of one, it may be elicited by the examination of a number. If the decision of the board is favorable to the admission, the alien proceeds as those passed by an inspector. If the decision is adverse to his landing he is to be informed that he has a right of appeal from such decision, and the fact that he has been so informed, is entered on the record of the board's proceedings.[94] If no appeal is taken, the alien is held in detention until the return of the vessel which brought him, when he is placed on board and turned over to the steamship authorities, to be taken back to the port of embarkation. If the decision of the board is adverse to his right of landing, and an appeal is taken, the immigrant is detained until the appeal is finally decided. This appeal, as above stated, is first to the commissioner of the port. At the hearing, the immigrant is produced before the commissioner, together with the testimony taken before the board of special inquiry,

[94] Department Circular, Aug. 26, 1903, Rule 7.

and he is examined further by the commissioner, who subsequently dictates a decision, to be written out and filed with the papers in the case. If an appeal is then taken to Washington, the immigrant is remanded to the detention pen, and the papers are forwarded to the office of the Commissioner-General.

Provision is made at Ellis Island for the thorough disinfection of clothing and baggage, and for feeding and caring for immigrants during their detention. The present buildings at Ellis Island, erected two or three years ago, are already proving inadequate to meet the needs of the enormous influx of the last few years. In summer time, spaces on the roof are reserved for detained immigrants, so that they may enjoy the advantages of out-door air and sunlight. The sleeping quarters are walled and floored with concrete, the bedsteads are of iron, allowing the most thorough disinfection, and the bedding is frequently sterilized. In addition to the main buildings and power plant, there is also a hospital at Ellis Island, where immigrants afflicted with dangerous contagious diseases can be quarantined, and where those suffering from any sort of disease can be treated. In certain cases, where a disease is curable, and the immigrant is going to join a husband or parent, he is allowed to remain in the hospital until cured. In other cases, they are treated until deported. Detained immigrants are fed by the government at an expense to the steamship companies of about thirty cents a day for each person. [95]

[95] The average cost to the steamship companies of detained immigrants, in proportion to the whole number of immigrants carried by them, varies from 6 cents to 22 cents. The Hamburg-American, Prince and Holland-American Companies pay the largest amounts; the Scandinavian and White Star Companies the smallest. See *Report of the Commissioner-General of Immigration, 1904*, p. 102.

Alien seamen are not subject to inspection when they land with the intention of reshipping on an outward bound vessel as soon as possible; but discharged or deserting seamen are to be treated like other aliens.[96] Under a ruling of the Attorney-General, made in 1903, Chinese seamen may be landed in the United States to be signed to man American vessels. This not only opens the door to violations of the Chinese Exclusion Acts, but is a violation of the spirit of the contract labor laws.[97]

Within the past two years, in addition to the general statistical work at the Island, necessary for the preparation of the annual report of the Commissioner-General and for the proper classification of records, a card catalog has been established giving the names of all arriving aliens, the ship on which they came, and such other information as is needed for purposes of identification. This is likely to prove of great value, especially in connection with the deportation of those who have become public charges in institutions. Formerly there was great difficulty in looking up the record of an alien to ascertain whether the information he gave as to the time and port of his arrival and the ship by which he came was correct or not.

[96] It was no part of the purpose of the immigration laws to deal with seamen, and no account was taken of them until it was found that they furnished a loop-hole for the admission of the excluded classes. See *Report of the Commissioner-General of Immigration, 1903*, pp. 69, 119; *ibid. 1904*, pp. 77, 103; Department Circular of August 1, 1903.

[97] *Report of the Commissioner-General of Immigration, 1903*, p. 105.

CHAPTER XI

EFFECT OF THE PRESENT LAWS AND THE NEED OF FURTHER RESTRICTION

A. NUMBERS DEBARRED AND DEPORTED

SOME idea of the efficacy of the inspection of immigrants since the Act of 1891 may be gathered from the numbers debarred and deported, as shown in the following table:

1892	2,801	579,663	0.5 per cent.
1893	1,630	440,793	0.4 per cent.
1894	2,389	228,020	1.0 per cent.
1895	2,419	258,536	1.0 per cent.
1896	3,037	343,267	0.9 per cent.
1897	1,880	230,832	0.8 per cent.
1898	3,194	229,299	1.4 per cent.
1899	4,061	311,715	1.3 per cent.
1900	4,602	448,572	1.3 per cent.
1901	3,879	487,918	0.8 per cent.
1902	5,429	648,743	0.8 per cent.
1903	9,316	857,046	1.1 per cent.
1904	8,773	812,870	1.1 per cent.

The figures given for 1904 include 4802 aliens returned within one year after landing, and 479 persons returned within three years after landing, as being unlawfully in the United States under Section 21 of the Act of 1903; but they do not include 6856 persons debarred at ports on the Canadian and Mexican border. The 7994 debarred in 1904 were made up as follows:

Idiots	16
Insane persons	33
Paupers or persons likely to become public charges	4798
Persons with loathsome or dangerous contagious diseases	1560
Convicts	35

Anarchist	1
Prostitutes	9
Procurers	3
Assisted Immigrants	38
Contract laborers	1501

During the thirteen years, 1892-1904, 47,768 were debarred; 4802 were returned within one year after landing; and 479 within three years after landing; making a grand total of 53,049 debarred and returned during that period. Of this grand total, 32,422 were debarred as paupers or persons likely to become public charges; 8,981 as contract laborers; and 5,529 as diseased persons.

According to the theory of the existing laws, the actual exclusion of aliens, although valuable, is but a small part of the total process of rejecting the undesirable. The theory of the law is that the steamship companies will, through their agents and for their own protection, refuse to sell tickets to immigrants who will be unable to pass the test. Undoubtedly in the past this has been the case to a considerable extent. The fact, however, that aliens are the most profitable cargo that can be carried, and the great desire of foreigners to come, to a considerable extent invalidate the theory of the law. It is well known that for many years the steamship companies have, in the case of doubtful immigrants, demanded double passage money with the object of making a profit on carrying the immigrant back in case he is rejected. That this has obtained to a large extent is shown by the fact that the Italian government passed an Act giving an alien a right of action to recover the money retained illegally by the steamship companies in this way. Undoubtedly, in some cases the companies bring over unfit aliens inadvertently. The method already described by which in small interior towns tickets are sold by persons acting as sub-agents and sub sub-agents without the

knowledge or consent of the company, relieves them to a certain extent of moral blame in the matter. On the other hand, the companies are supposed to inspect aliens at the port of embarkation and they certainly deserve no great sympathy if they connive at attempts to evade our laws.

B. DISEASED IMMIGRANTS

That the steamship companies actually do connive at evasions of the immigration laws is conclusively established by the fact that in 1904 they were fined upwards of $31,000 under Section 9 of the Act of 1903, imposing a penalty of $100 for bringing a diseased alien whose malady might have been detected by a competent medical examination at the port of departure; and it is stated to be a more or less frequent practice for steamship companies to demand from a doubtful case a deposit of $100 or more to cover a possible fine of this sort.[1] A circular recently issued by one of the great transportation corporations, says[2] that a diseased person who claims to be able to prove American citizenship on arrival will be accepted for passage if he deposits with the Company $150 for each person in the family, which amount is to be forfeited to the Company if he is deported on arrival. The same circular also thoughtfully provides that "a person or persons so afflicted shall agree to be isolated from the other passengers during the voyage." An easy means of reaching an American port is thus pointed out to diseased aliens if they are willing to guarantee the company against loss and to make a false claim to American citizenship. In view of the great numbers of fraudulent naturalization

[1] *Report of the Surgeon-General, 1904*, p. 199.

[2] *Report of the Commissioner-General of Immigration, 1904*, p. 41.

papers in existence and the ease of obtaining them[3] it is obvious that it is by no means difficult for diseased aliens to evade the law by this method. The burden is upon the United States to show that the disease could have been detected at the time of embarkation.

Since August 21, 1903, by an arrangement with the Pacific Mail Steamship Company, surgeons of the Marine Hospital Service stationed at Kobe, Nagasaki and Yokohama in Japan, and Hong Kong and Shanghai in China, have been instructed to inspect aliens embarking from such ports to the United States. In nine months, out of 9538 immigrants examined at Yokohama 629, and at Nagasaki, Japan, 655 were rejected, all afflicted with trachoma.[4] Surgeons are also detailed for service at Naples and Palermo in Italy; Vancouver and Victoria in British Columbia; Winnipeg in Manitoba; and Quebec and Montreal in Canada.[5] The law provides that the medical officers shall certify not only those suffering from loathsome or dangerous diseases, but those with any mental or physical disability which would bring them within the excluded classes, for example, make them public charges. It is also provided, though on this the law is not free from contradiction, that the decision of a board of special inquiry based on the medical certificate shall be final. In view of the evident intention of the law it is interesting to notice the practical working of these provisions. Of immigrants certified to the board of special inquiry by the medical officers at Ellis Island in October, 1903, there were 65 cases of dangerous contagious diseases acted on, and of these 4, or 6 per cent., were landed. Of 379 cases certified as likely to become

[3] See *supra*, chapter ix., B.

[4] *Report of the Commissioner-General of Immigration, 1904*, p. 43; *Report of the Surgeon-General, 1904*, p. 195.

[5] *Report of the Surgeon-General, 1904*, p. 193 ff.

public charges, 349 or 92 per cent. were landed. Of course, as to the latter class, the certificate is merely one piece of evidence for the Board; but, considering the lax method of guaranties at present in vogue, it is to be regretted that the medical certificate is not the controlling factor.[6] The increase in certification marks to some extent the increasing deterioration in the physique of immigrants. The chief surgeon at Boston, for example, says in his report for 1904:[7]

"Superiority in quality is no longer characteristic of the immigration at this port, and during the past year the inadequacy of the facilities for conducting the medical examination has been emphasized by the increasing numbers it has been found necessary at the line inspection to turn aside for special examination. On a recent ship 20 per cent. of the total steerage passengers were thus 'turned off the line.' To some extent this low physical standard is the outcome of the extension of the business of the British lines into continental territory, but there also seems to be a decided increase in the physically and mentally defective from Great Britain and Ireland as well. With a slight decrease in total immigration the number of certificate cases for the past year was 513 as compared with 308 for the previous year."

This physical inferiority has recently become so marked that the Commissioner-General has called the attention of his subordinates to the fact that aliens certified for "poor physique" are particularly disqualified for admission.[8]

[6] Cp. as to Boston, *Report of the Surgeon-General, 1904,* p. 200.

[7] *Report of the Surgeon-General, 1904,* p. 199.

[8] Circular letter of April 17, 1905. The definition of "poor physique" by the Department is as follows:

"A certificate of this nature implies that the alien concerned is afflicted with a body but illy adapted not only to the work necessary to earn his bread, but is also but poorly able to withstand the onslaught of disease. It means that he is undersized,

The relation of disease and poor physique to deportation under the present law, is shown to some extent by the numbers treated annually in the immigrant hospitals, and the proportion of these actually deported for any cause. At New York, in 1901, 2718 persons were treated, and 280 were deported. In 1902, 3874 were treated and 645 deported. In 1904, there were 4916 certified cases, of whom 1368 were deported. During the year, 5155 persons were admitted to the hospital at New York, 1158 of whom were Austro-Hungarians, 1475 Italians and 1277 Russian Hebrews.

The great difficulty in showing that an alien becoming a public charge, does so from causes arising prior to landing appears from the following facts. In 1903 about 1100 applications for deportation were made at New York; yet only about one-quarter were deported.[9] Under a special contract between the State of Massachusetts and the United States the latter pays $5 a week for each immigrant who has become a public charge, out of the immigrant fund. In 1904, there were 396 aliens reported by the Massachusetts State Board of Charity to the Com-

poorly developed, with feeble heart action, arteries below the standard size; that he is physically degenerate, and as such, not only unlikely to become a desirable citizen, but also very likely to transmit his undesirable qualities to his offspring should he, unfortunately for the country in which he is domiciled, have any.

"It is deemed proper to add that of all causes for rejection, outside of those for dangerous, contagious or loathsome disease, or for mental disease, that of 'poor physique' should receive the most weight, for, in admitting such aliens, not only do we increase the number of public charges by their inability to gain their bread through their physical inaptitude and their low resistance to disease, but we admit likewise progenitors to this country whose offspring will reproduce, often in an exaggerated degree, the physical degeneracy of their parents."

[9] *Report of Ellis Island Commission*, 1904, p. 25.

missioner of Immigration at Boston. Of these, 146 could not be identified as immigrants within two years, and of the remaining 250, only 77 were deported, the balance continuing here and being paid for out of the immigrant fund. In other words, of all the aliens reported as public charges within the year, only 19 per cent. were actually deported![10]

It is true that in some cases aliens becoming public charges from causes arising subsequent to landing may be deported if they are willing to go. "Any alien who has been lawfully landed, but who has become a public charge from subsequently-arising physical inability to earn a living, which is likely to be of a permanent nature, may, with the approval of the Bureau of Immigration, be deported within one year from date of landing, at the expense of the immigrant fund, provided that such alien is delivered to the immigration officers at a designated port free of charge."[11] The number of these cases is, however, not large, and this provision does not help the situation materially. It must be admitted that the local boards and authorities are partly to blame in not attempting to secure more general deportation, as the matter has been repeatedly called to their attention.[12]

C. SOLICITATION BY TRANSPORTATION COMPANIES[13]

Abundant evidence is forthcoming that the provision of the present law, prohibiting the solicitation of immigrants by transportation companies, except through the statement of sailings and terms and facilities of trans-

[10] Cp. *Report of Surgeon-General, 1904,* p. 202; *Report of Massachusetts State Board of Charities, 1904,* p. 95.

[11] Regulations, Aug. 26, 1903, Rule 17.

[12] Cp. Bureau Circular, 1903, No. 1.

[13] Cp. *supra,* chapter ii., E. See also *Special Consular Reports,* vol. 30 (1904) *passim.*

portation, is practically a dead letter. On the contrary, it is known that an enormous number of agents and subagents are continually at work trying to induce all kinds of aliens to emigrate to this country, by making all sorts of representations. This has gone to such an extent that some of the foreign governments who were desirous of retaining their citizens for military service, have been obliged to enact stringent regulations and to make many prosecutions to prevent such solicitation. As the Commissioner-General says in his report for 1904:[14]

"It is useless, if not puerile, to trust that the transportation lines representing enormous investments of capital operated for that express purpose, will not resort to every known means to secure passengers, or that persons acting as agents in foreign countries will not do likewise to secure commissions, even if such acts involve violation of the laws of the United States."

The following extracts from the report of Special Immigrant Inspector Marcus Braun[15] indicate both the extent to which this unnatural stimulation of immigration has gone, and the disastrous results likely to follow from it:

"While I have no direct proof that the steamship companies are directly concerned or even tolerate the giving of these secret instructions ['coaching' immigrants for passing the inspection], yet I learned in the course of my travels, particularly in the countries of Austria-Hungary and Russia, that a large number of reputable persons, such as priests, school teachers, postmasters and country notaries, are directly connected with certain agents representing these steamship companies, and that they advise and instruct the emigrants how to procure steamship tickets, passports, and all other things

[14] Page 44. Cp. J. D. Whelpley, *The Problem of the Immigrant.*

[15] *Report of the Commissioner-General of Immigration, 1903,* pp. 86-96.

necessary for their travel, for all of which they receive a commission from the agent employing them. It is obvious that since the amount of the earnings depends entirely upon the amount of business procured, hence in their anxiety, the sub-agents above enumerated, by promises and in order to earn a commission. induce a large number of persons to leave their homes and come to the United States. The governments of each of these countries, in good faith, are endeavoring to stop this sort of traffic and provide for the punishment of any person inducing another to leave the country, but I found that in many of the towns visited the local authorities are in league with the sub-agents and their business thrives practically with the consent of the officials whose duty it is to prevent it; this is particularly true of Austria-Hungary, as I was able to ascertain from personal interviews with a large number of emigrants at the Austro-Prussian border. . . . The deplorable political and financial conditions of the eastern and southern countries of Europe, coupled with the prosperous condition of the United States, creates a large natural emigration to our shores. The most convincing proof in the eyes of the people of these countries of the exceptional prosperity of our country is the large sums of money, almost unprecedented to them, which annually arrive from friends and relatives residing in the United States. Besides this natural emigration, however, we are burdened with a dangerous and most injurious unnatural immigration which from year to year assumes larger proportions. This unnatural emigration consists of paupers and assisted emigrants, and is induced and brought about by the unscrupulous and greedy activity displayed by a large number of agencies and sub-agencies having well-established connections in the United States and abroad, apparently unknown to the steamship companies, which activity manifests itself in the peddling of steamship tickets and prepaids on the installment plan, both here and abroad, the constant agitation and offers of inducements by sub-agents in Europe, occupying semi-public positions, who, in order to earn commissions play upon the ignorance and susceptibility of the plain peasant, frequently inducing

him to sell or mortgage all his belongings for the purpose of raising the necessary travelling expenses, which latter transaction is also turned to profit by such agent."

That there is a vast amount of "coaching" of immigrants by steamship agents and officers is not to be doubted. In addition to what is done before the immigrant starts, there is the period of the voyage which affords an excellent opportunity for instruction as to how best to pass inspection. Much light is thrown upon this subject as regards the Canadian lines in the letter of the International Navigation Company to the Assistant Secretary of the Treasury and the annexed exhibits.[16] It is not improbable that a careful investigation would disclose evidence of "coaching" upon other lines. In France, schools have been formed to enable immigrants to pass the Mexican border, and in Canada to help Chinese and others to be smuggled across the Canadian line.

D. CONTRACT LABOR LAWS

There has always been much discussion and considerable difference of opinion as to the benefit of the contract labor provisions of existing law. These provisions were originally passed with the object of shutting out low-grade labor in the mining regions. It is said that the first importation of cheap labor into the mining regions was made as an act of charity;[17] but the succeeding importations were solely in the interest of the selfish greed of mine owners and manufacturers, some of whom lived to repent their action. The contract labor laws have

[16] *A Brief Account of Attempts to Control Immigration into the United States via Canada.* Aug. 3, 1900.

[17] *Report of the Industrial Commission,* vol. 15, p. lxxxi.

shut out not only cheap unskilled labor, but also skilled labor except when similar workers could not be found unemployed in this country. The laws, therefore, tend to exclude both the worst and the best elements of immigration; for a skilled laborer, well established abroad, is not likely to come to this country without some definite future in view. Indeed, the attitude of many of the labor organizations is more antagonistic to the coming of skilled labor, which will compete in a larger degree with their own members, than to the coming of unskilled and unorganized labor which competes with them only indirectly or after a considerable period. Apart, however, from the policy of these provisions [18] it appears that they are to a large extent nugatory at the present time.[19] In the first place, those contracting for labor and the laborers themselves are often clever in evading the laws, and it is frequently very difficult to get convictions for violations. In many instances, district attorneys are already overworked and are averse to taking up immigration cases, especially unless the evidence is very clear. Then, again, the dockets of the Federal Courts are so crowded that it takes a long time for a case to be reached, and meanwhile the benefit of some of the evidence is frequently lost. The courts, further, have always tended to whittle down the operation of these Acts as far as possible; as, for example, by holding, prior to the Act of 1903, that the contract must have been a bi-lateral agreement made before the sailing of the vessel, and that a promise of employment acted on by the immigrant was not such a contract as was contemplated by the Act. It

[18] As to the argument that the laws themselves show the existence of a legitimate demand for labor see Edward Atkinson, in *Forum*, vol. 13, p. 365 (May, 1892).

[19] See H. C. Lodge, in *Century*, vol. 67, p. 468 (Jan. 1904).

has, however, been held recently that where persons have been permitted to land by a board of special inquiry and are actually in the country, they can be subsequently arrested and deported as contract laborers.[20] It has been suggested that the law should be changed so that a decision of the board favorable to the alien shall not be final.[21] It must, however, be admitted, that the mere deportation of particular laborers would have little effect upon the employers in deterring them from attempting other violations of the law.[22] Another defect in the present laws is that deportation of the alien removes the most important witness for the government. Formerly, his affidavit was taken before deportation; but latterly this practice has been discontinued, and deportations have consequently fallen off.[23] The present status of the matter is described by the Commissioner-General as follows:[24]

"To state the situation exactly, it is now indispensable to the Government's successful maintenance of a penal action under the provision of these laws, first, that an alien contracted for shall escape the vigilance of the in-

[20] *Pearson* v. *Williams,* 136 Fed. Rep. 734 (1905).

[21] *Report of the Commissioner-General of Immigration, 1904,* p. 102. Cp. Act of Mar. 3, 1903, sections 21, 22 and 25.

[22] The Commission appointed to investigate the Immigrant Station at Ellis Island said in its report (1904) pp. 18, 30, that it had been unable to learn of a single successful attempt to enforce the provisions of section 5 of the Act of 1903, imposing a penalty upon persons importing contract laborers.

[23] *Report of the Commissioner-General of Immigration, 1902,* p. 10. The numbers rejected fell from 327 in 1901 to 275 in 1902. If fines could have been collected for all of the 879 contract laborers deported in 1903, the total gain to the government would have been $879,000.

[24] *Report, 1901,* p. 32.

spection officer and effect a landing and, second, that the work for which he was engaged shall be unskilled manual labor. It appears superfluous to say in view of the foregoing that the Bureau has no report to make of the successful prosecution for violation of the alien contract labor laws, nor can it be reasonably expected to have such report to make in the future unless the law is appropriately amended."

The question how far one who comes in pursuance of the promise of a relative to give him work is a contract laborer, is one of great difficulty. In order to make the law strict enough to cover abuses, its language must include some cases which are harmless. A certain discretion it seems must be exercised in the application, and yet that is always to be regretted in laws of this kind. It is no longer even necessary to have a definite promise of employment before arriving at New York to be practically certain of employment in some lines of work. Employers let it be known abroad that there is a demand for a kind of labor and information regarding employment to be obtained at a certain place in New York or elsewhere. The aliens are then shipped to the locality where they are wanted. [25]

E. IMMIGRATION THROUGH CANADA AND MEXICO

A source of much difficulty in the execution of the laws has always been the immigration of undesirable aliens to the United States by way of Canada and Mexico. The number of arrivals at Canadian ports in recent years, professedly destined to the United States have been as follows:

[25] See Gino C. Speranza, in *Outlook*, vol. 74, pp. 407-410 (June 13, 1903).

1897	6,542
1898	7,344
1899	11,550
1900	20,011
1901	21,674
1902	29,199
1903	35,920
1904	30,374

Under various contracts with the transportation companies, dated September 7, 1893, March 25, 1896 and November 1, 1901, the United States has for some years maintained stations for the examination of trans-Atlantic and trans-Pacific immigrants landing in Canada and destined to the United States.[26] These stations are Halifax, Montreal, Quebec, St. John, Yarmouth, Vancouver and Victoria. Altogether there are forty-seven of them along the Canadian border, including one at Winnipeg, and seven along the Mexican border.

The inspection is, in general, similar to that at ports of the United States. The owners of Canadian vessels agree to furnish manifests and to pay the head-tax. When an alien is found admissible he is given a certificate which he shows at the border. The steamship lines agree to return those who have come in through Canada and become public charges within a year, in like manner as in the case of aliens landed at ports of this country.

To the direct immigration through Canada must also be added the large number who give Canada as their destination and then sneak in across the border. The latter are the worst of all immigrants. In the words of the Commissioner at Montreal:[27]

[26] For the text of the last agreement see *Report of Commissioner-General of Immigration, 1902*, pp. 46-48. For regulations as to inspection of aliens landed at Canadian ports see Dept. Circular of Nov. 1, 1901.

[27] *Report of the Commissioner-General of Immigration, 1902*, pp. 39, 40.

"The Canadian route to the United States is known to every unscrupulous agent in Europe and is by that means made known to the very dregs of society, many of whom having been rejected at the United States ports sought this easy mode of escaping the effect of official vigilance. . . . It will be seen that those aliens classified as Canadian immigrants, and who are simply so classified to conceal their real intention, furnish in the aggregate a greater amount of specific disease and general inadmissibility than all the immigrants examined at all the United States ocean ports of entry combined, including Quebec, St. John and Halifax."[28] Many contract laborers also come in by the Canadian route as affording a method more difficult of detection.

These facts led recently to an increased rigor of inspection on the frontiers. As a result, the rejections at the border ports of Canada and Mexico were 5437 in 1902 and 6856 in 1904.[29] Of the rejections in 1904, 2001 were on the Canadian border and 4855 on the Mexican border; showing that attempted evasions of the law have been largely transferred to Mexico since the more severe inspection on the Canadian frontier. The only radical remedy for the present state of things would be for Canada and Mexico to adopt the American immigration laws, and a system of inspection as thorough as

[28] The United Hebrew Charities of New York reported recently that as many as 75 per cent. of all their dependents had come in *via* Canada. *Report of the Commissioner-General of Immigration, 1902*, p. 43. In 1904, 15,359 aliens examined at Canadian ports, destined to the United States, furnished 262 inadmissibles; while 9438 examined at the border yielded 667 equally inadmissible persons. *Report of the Commissioner-General of Immigration, 1904*, p. 95.

[29] See *Report of the Commissioner-General of Immigration, 1902*, p. 11; *ibid. 1904*, p. 10.

that in vogue in this country; or to permit the inspection by American officers of all aliens whether destined to the United States or otherwise. At present, the inspection in Canada is a matter of contract and courtesy on the part of the steamship companies and has no color of authority from the Canadian government. Canada and Mexico have always been very anxious to obtain colonists, the former spending large sums in advertising for immigrants; consequently they have not been critical in regard to the quality of their immigration.

Two influences, however, have coöperated to induce Canada to take the first steps towards regulation of immigration on her own account. The first is the increased vigilance of American inspection along the border, which has resulted in turning back into Canada numerous undesirable persons. The second, and more important factor, is the influence of the transportation companies which dislike to have their passengers delayed by a rigid border inspection. The net result to date has been the passage of a law by Canada in 1902 excluding diseased persons; and the more cordial coöperation of the Canadian authorities with the United States inspectors at Canadian ports.[30] Under the present system, where persons are rejected by American inspectors at Canadian ports for causes also defined in the Canadian law, such persons are deported to Europe; but in all other cases this government must rely upon its frontier inspection.

It is obvious that the policing of 3,000 miles of frontier is a difficult matter. There are at least thirty points along

[30] A previous attempt to check diseased persons going to Canada, by having American surgeons at British ports of embarkation, was not successful, partly because the steamship lines insisted on bringing rejected aliens. See *Report of the Commissioner-General of Immigration, 1901*, p. 32.

the Canadian border where railroads cross the line. There are, also, ferries and carriage roads. It has been suggested that the United States inspectors at Canadian ports should be withdrawn, and that all immigrants should be required to enter this country at certain designated frontier points, on penalty of arrest. It would, however, be almost impossible to apply such a rule to bona fide residents of Canada, and in every case the question of residence would arise.

In spite of the difficulties of the present arrangement much has been accomplished in the way of breaking up the smuggling of undesirable immigrants,[31] and, in the future, Canada may be induced to make her standard of immigrants as high as our own.

[31] As to smuggling and prosecutions for the same, see *Report of the Commissioner-General of Immigration, 1903*, pp. 48, 49, 97-99. Recently a shipload of 250 Syrians was landed at Vera Cruz from a French port, and a number of these, all suffering from trachoma attempted to cross at Eagle Pass. See Boston *Evening Transcript*, Jan. 6, 1903; Boston *Herald*, March 27, 1905.

CHAPTER XII

PROPOSED LEGISLATION

A. HEAD-TAX AND MONEY TEST

When further restriction of immigration is under discussion, one of the suggestions which comes first to mind is to increase the head-tax. The raising of the present tax of two dollars to ten, fifty or one hundred dollars would no doubt considerably diminish immigration. Of the total immigration in 1904, 501,530, or 84 per cent. of those whose money was reported, brought less than fifty dollars; and a tax of that amount would, therefore, have excluded most of them.

Even a large head-tax would not, however, altogether stop immigration; for friends and relatives in this country, who prepay most of the tickets, would in some cases supply the extra sum needed. In general, an increase of the tax would tend to exclude the less thrifty and enterprising; but a tax of any considerable amount would certainly bar out many desirable immigrants from all races.[1]

The head-tax, of course, does not discriminate directly between those with good and those with bad mental and physical characteristics. Another objection to it is that it bears more severely upon the man with a family, intending permanent settlement, than it does upon the unmarried birds of passage. If it is desirable to promote

[1] See Gustav H. Schwab, in *Forum*, vol. 14, p. 810 (Feb. 1893); Henry Cabot Lodge, in *Century*, vol. 67, p. 468 (Jan. 1904).

the immigration of families, the tax cannot be applied strictly *per capita;* there must be some exemption of wives and children. A still further objection often made to this method of restriction is, that, so far as the immigrant himself pays the tax, he is so much the poorer upon his arrival. This is precisely the time when he needs money to support him until he can obtain work, and prevent his becoming a public charge. It is probably true, however, that the improvement in the quality of immigration under a higher head-tax would more than offset any bad results of this character.

Somewhat similar to the head-tax is the "money test," that is to say, the requirement that each immigrant must possess a certain sum of money, say the equivalent of a year's wages.[2] The Commissioner at New York has suggested[3] that this could be obtained by mere executive order. He says, in speaking of the public charge provision of the law:

"I think its execution would become much more effective if the department would in some proper form express the opinion that persons having less than a stated sum, say $20 or $30, were not 'clearly and beyond a doubt' entitled to land, unless they gave, not ordinary, but very convincing proof of some exceptional qualifications to justify their admission, and that in all appeals by persons excluded as paupers, or as likely to

[2] George Gunton, in *Lecture Bulletin of the Institute of Social Economics, Nov., 1901,* p. 94. In the Fifty-second Congress, Senator Chandler, in Senate Bill 3363, proposed the exclusion of persons not provided, in addition to the means of reaching their destination, with sufficient money for their support for two months after arrival; the amount required not to exceed $100 for each single person or head of a family and $25 for each member of a family except the head.

[3] *Report of the Commissioner-General of Immigration, 1902,* p. 59.

become public charges, it would presume the excluding decision to be correct, unless such persons at the time of landing possessed this minimum amount over and above all claims, together with transportation to final destination. Such a rule would be a warning to many overzealous emigration agents on the other side, who are more bent on securing their commissions than seeing to it that no ineligible person enters this country, with the result that numerous chances are taken with regard to the eligibility of immigrants, and pauperized families . . . are brought here who would never have left the other side."

There is no doubt that an economic test of this character would be to some extent evaded. Means would be found through some arrangement of guaranty between friends or relatives of aliens and immigrant bankers, here and abroad, to supply them with the money necessary to pass inspection, to be returned after landing.[4] Nevertheless, the necessary safeguards of such a system would themselves tend to restrict its application, and to render the law an efficient means of restriction.

B. PHYSICAL TEST

Just as the illiteracy test is designed not only to secure rudimentary education on the part of immigrants, but also and chiefly to exclude those undesirable for general reasons, so a physical test would bar out not merely persons of poor physique or physically defective or imperfect, but, in addition, a considerable proportion of those liable to become paupers and diseased. The present laws exclude all who are mentally diseased in such a way as to be a burden on the community; that is to say, the insane,

[4] Thus the $30 invariably shown by Japanese immigrants is said to be furnished by the immigration companies. *Report of the Industrial Commission*, vol. 15, p. 756.

idiots, and persons who have been insane within a few years; and, on the physical side, those with dangerous or loathsome contagious diseases. The next logical step, therefore, if there is to be a further restriction, would seem to be to stiffen the requirements for admission, both on the mental and on the physical side. On this account it has often been argued that if there is to be an educational test there should be a physical test as well; and many go further and hold that the relation between apparent physique and desirability, is much closer than between the mental intelligence, necessary to read and write, and desirability, inasmuch as the physical condition of the individual determines to a great extent his capacity and opportunity for acquiring education. Furthermore, experience shows that the persons of poor physique, are, with few exceptions, those who are most likely to become a burden upon the community. To a considerable extent both of these tests would hit the same classes of individuals; although the educational test would exclude some persons of extremely good physique coming from countries where opportunity for education is limited, while, on the other hand, it would admit large numbers, especially of Russian and German Jews, who are most prone to become victims of tuberculosis within a short time after landing.

In the Fifty-second Congress, in connection with a consular certificate bill[5] introduced by Senator Lodge of Massachusetts, it was provided that the immigrant must have a certificate stating that he was "physically and mentally sound, in good health and free from disease or deformity as certified by a physician of good and regular standing known to the consul or diplomatic representative with whom such medical certificate shall be filed."

[5] H. R. 575, § 2.

In the same Congress another bill,[6] introduced by Senator Chandler of New Hampshire, added to the excluded classes: "Persons blind or crippled or otherwise physically imperfect so that they are wholly or partially disabled from manual labor, unless it is affirmatively and satisfactorily shown on special inquiry that such persons are sure of abundant support and not likely to become a public charge." In view of the various changes in the law since these provisions were suggested, a more desirable form of the test might be to exclude: "Persons physically or mentally weak, defective or degenerate so that their ability to earn a living in their trade, occupation or employment is thereby affected, whether that trade, occupation or employment involves hard physical effort or not; but this clause shall not be held to exclude the wife, minor children, or parents of anyone who is a citizen of the United States at the time of the passage of this act or of any person who may become a citizen of the United States within five years after such passage, if it be affirmatively and satisfactorily shown, on special inquiry, that such citizen is able to give his wife, minor children, or parents adequate support."[7]

[6] S. 3663.

[7] The importance of a proper physical test has been repeatedly emphasized by the immigration authorities. Thus, the Commissioner at New York says in his report for 1904:

"We are receiving too many immigrants whose physical condition is poor. . . . To exclude aliens suffering from either physical or mental ailment it is generally necessary to show that they are likely to become public charges, and yet it is obviously impossible to exclude on this ground all persons whose physical condition is poor. I think that in all instances in which the U. S. Marine Hospital surgeons who conduct the medical examination at the immigration stations certify in writing that the physical condition of an immigrant dependent for support upon his own physical exertions, is below a certain standard to be designated

It has also been suggested that section 10 of the present act shall be supplemented by a provision that, whenever an examining medical officer certifies that an alien has a mental or physical defect which will, in his opinion, affect the alien's ability to earn a living through physical effort, including manual labor, the alien shall be held for special inquiry; and at such inquiry the sole question for determination shall be whether or not the alien must rely on physical effort to earn a living; if this question be determined in the affirmative the alien shall be excluded. In other words, the question, what effect a given physical imperfection is likely to have upon an immigrant's power to work is really a medical question for medical experts and should not be decided by a board of special inquiry; but such board may properly pass upon the general question as to how the immigrant shall be obliged to earn his living.

During the year 1904, at the port of New York, 4802 cases of serious physical defects were certified; and out of a total of 4916 cases to be accounted for, 3478 were landed. This statement covers only the serious physical defects or diseases; and 17,422 cases were recorded of aliens with minor defects, many of whom, no doubt,

by them by some appropriate term, whether this be 'low vitality,' 'poor physique,' or some other similar expression or that he is 'senile,' such immigrants should be excluded, subject to certain reasonable exceptions. . . ." *Report of the Commissioner-General of Immigration, 1904,* pp. 105-106. Cp. *ibid. 1903,* pp. 84, 120. The standard sometimes used by the officers of the Marine Hospital Service in certifying cases to the board of special inquiry is that of the United States Infantry recruiting officers.

At present, as has been already noted, many immigrants suffering even with serious physical defects are allowed to be landed on the promise of some irresponsible person that they shall be cared for or given work.

ought properly to have been excluded. If a physical test is to be adopted, it should be an absolute cause for exclusion. The practice of admitting aliens on the oral guaranty of some person that they shall not become a public charge should be restricted, and should not be allowed in the case of physical defectives, as experience has shown that such guaranties are of no value. In any law prescribing a physical test, too, it would seem to be necessary to make some exceptions in the cases of persons of independent means. It would be impracticable to insist upon the appearance before a board of special inquiry of every case certified by a medical inspector; as, for example, some very prominent cabin passenger of ample means travelling for his health or upon business, might be subject to a physical defect which would exclude him under such a provision.

It has also been suggested that pending any radical action by Congress, or any construction by the department of section 10, which would accomplish the same purpose, there should be a rule requiring the commissioner of immigration in charge at a port where a physically defective alien is landed, to notify in writing the officials of the municipality in which such alien intends to reside, that he has been admitted, giving sufficient information to identify him. If, subsequently, he becomes a public charge the chain of evidence necessary to secure his deportation will then be complete.

C. ILLITERACY TEST [8]

We come now to the method of restriction which has practically monopolized public and legislative attention

[8] *Senate Reports*, 54th Cong., 1st Sess., No. 290 (1896); reprinted as *Senate Reports*, 55th Cong., 1st Sess., No. 13 (1897);

for the past ten years. For this reason a more detailed account of its history and merits will be given than has been accorded to other plans. By whom this method was first suggested is a matter of doubt;[9] but it first came into prominence in 1895 shortly after the formation of the Immigration Restriction League in 1894, although embodied in various bills before that time.[10] It will be convenient to consider first the history of the test and then its merits and defects.

In December, 1895, a bill prepared by the Immigration Restriction League was introduced into the Senate by Mr. Lodge of Massachusetts, and into the House by Mr. McCall of Massachusetts.[11] Since then this bill has

Prescott F. Hall, "Immigration and the Educational Test," in *North American Review*, vol. 165, p. 393 (Oct., 1897); *ibid.*, "New Problems of Immigration," in *Forum*, vol. 30, p. 555 (Jan., 1901); *Publications of the Immigration Restriction League*, Nos. 6, 10, 11, 13, 14, 21, 23, 24, 30, 31, 32, 34, 35; Speech of Hon. S. W. McCall in the House of Representatives May 20, 1896; Speech of Hon. H. C. Lodge in the Senate, Mar. 16, 1896; Speech of Hon. Charles W. Fairbanks in the Senate, Jan. 11, 1898.

[9] It was advocated by Senator H. C. Lodge of Massachusetts in the *North American Review*, vol. 152, p. 36 (Jan. 1891).

[10] "It seems to a majority of the committee that the time has come, in view of the alarming increase within the last few years of illiterate immigrants, to adopt a reasonable requirement of intelligence on the part of newcomers seeking the privilege of residence and citizenship in our great and prosperous Republic. . . . Persons of proper age must be able to read and write with reasonable facility their own language; but aged persons not so able may come with or join their families. As a partial check to the addition of undesirable persons to our population the majority of the Committee cannot devise any wiser or more rational provision." *Senate Reports*, 52d Cong., 2d Sess., No. 1333 (1893).

[11] H. R. 9; S. 301. Cp. S. 310 introduced by Senator Chandler of New Hampshire.

generally been known as the "Lodge bill." It provided for an addition to the excluded classes of "all persons between fourteen and sixty years of age who cannot both read and write the English language or some other language."

On April 2, 1896, Mr. Bartholdt, for the House Committee on Immigration, reported a bill excluding illiterate males between sixteen and sixty years of age, but exempting parents of residents or immigrants.[12] On February 18, 1896, Mr. Lodge, from the Senate Committee, reported a bill excluding illiterates over fourteen years of age, with an exemption in the case of aged parents or grandparents of admissible or resident immigrants. This bill also provided machinery for making the test of illiteracy.[13]

On May 20, 1896, the bill passed the House by a vote of 195 to 26; and on December 17, 1896, it passed the Senate by a vote of 52 to 10. The votes in each case were not in the least on party lines. On January 21, 1897, a bill was reported from conference, similar to the bill as it finally passed, except that it required immigrants to "read and write the English language or the language of their *native or resident country*." The opposition immediately discovered that this form of wording would exclude a large proportion of the Jews, Yiddish not being a language of any recognized country. Immediately, there was an emphatic protest from influential Jewish bankers in New York City and from other prominent Jews, and it was deemed advisable to restore the original wording of the League's bill requiring the reading and writing of the "English language or some other lan-

[12] H. R. 7864. *House Reports,* 54th Cong., 1st Sess., No. 1079.

[13] S. 2147. *Senate Reports,* 54th Cong., 1st Sess., No. 290.

guage." The bill as finally reported by the conference committee passed the Senate February 9, 1897, by a vote of 34 to 31. This close vote is to be explained by the efforts of the steamship companies and their sympathizers to defeat the measure. For example, while the matter was pending in the House, the western agents for the North German Lloyd Steamship Company sent the following telegram to numerous persons: "Immigration bill comes up in the House Wednesday; wire your Congressman, our expense, protesting against proposed exclusion and requesting bill be defeated, informing him that vote in favor means defeat next election." At about the same time, the same firm sent out a letter stating that if the Lodge bill became a law immigration would be restricted "almost to the extent of total exclusion."—a most absurd statement—and saying that every effort should therefore be made to defeat the bill. With this letter was sent a slip as follows: "Wire your representative fully and let us know cost of telegram and we will promptly refund amount to you." Comment on such communications seems unnecessary.

During the passage of the bill through the House, Representative Corliss of Michigan succeeded in having four sections, dealing with an entirely different subject, the coming of Canadians across the border to perform daily labor in the United States, added to it by way of amendment. The labor unions of Detroit and other places in Michigan, to which State Mr. Corliss was accredited, who were affected by this daily migration, had asked for some measure of relief. So the so-called "Corliss amendment" was made a part of the bill, much against the wishes of its friends, and only because of a fear that it might be held up if the amendment were opposed. As will presently be shown, this amendment

was what really caused the veto of the measure[14] by President Cleveland, on March 2, 1897.[15]

In his veto the President rehearsed the benefits of immigration in the past, referred to the quantity of land still available for settlement, and maintained that labor difficulties were the result of temporary depression and would be remedied in natural ways. He further expressed less fear from large masses of ignorant immigrants than from a few educated agitators, and suggested that if the illiteracy test were being advocated as a method for excluding classes undesirable for other reasons than illiteracy, such classes should be directly legislated against. He also referred to the separation of families which might take place in spite of the exemptions of the bill. The message characterized the sections of the Corliss amendment as unfriendly legislation which could hardly fail to provoke retaliatory measures, and as being illiberal, narrow and un-American. As will be seen by any one who reads the message, the President vigorously expressed his disapproval of the whole bill. It has been said, however, on apparently good authority, that in view of the very large vote by which the illiteracy test had passed both Houses twice, the President would not have interposed his veto but for the provisions affecting the border immigration from Canada. It must be remembered that at this time there

[14] As the Lodge Bill has been long out of print, and as there is a constant demand for the text of the measure, it is given in full in Appendix III. as it went to the President; but readers should remember that sections 4 to 7 inclusive are no proper part of the illiteracy test bill, and were added in the manner above narrated.

[15] *Senate Documents*, 54th Cong., 2d Sess., No. 185. For a discussion of this veto, see John Chetwood, Jr., in *Arena*, vol. 17, pp. 788-801 (Dec. 1897).

were many questions of grave importance pending between the United States and Canada, such as the question of the seal fisheries and the Alaskan boundary. In addition to the general desirability of avoiding trouble with a near neighbor, with whom the United States had hitherto been on friendly terms, it was of the greatest consequence for the successful adjustment of the various matters in controversy that friction should not be created and bad feeling engendered by the passage of a measure containing such irritating and vexatious clauses as those of the Corliss amendment; and on this account the veto can be supported even by friends of the illiteracy test.

The House, however, at that time was not at all in sympathy with the President, and, on the same day that the veto was received, passed the bill again over the veto by a vote of 193 to 37, which was very nearly as large a majority as that by which it had passed the conference report and the original bill. There was, however, no time to secure its passage over the veto by the Senate, if indeed the necessary two-thirds could have been secured, which was very doubtful.

In the Fifty-fifth Congress, the bill of the Immigration Restriction League was again introduced, and passed the Senate January 17, 1898, by a vote of 45 to 28; but, owing to the great pressure of business, especially that arising out of the Spanish War, no action was taken in the House, although a canvass showed a considerable majority in favor of the measure.[16]

[16] This bill was introduced by Mr. McCall as H. R. 1 on Mar. 15, 1897; and by Mr. Lodge as S. 112 on Mar. 16, 1897. The report was *Senate Reports*, 55th Cong., 1st Sess., No. 13, being a reprint of 54th Cong., 1st Sess., No. 290. Consideration was refused in the House, Dec. 14, 1898, by a vote of 103 to 100.

While the matter was pending, the opposition was not idle; and an organization was formed in 1898, called the Immigration Protective League, for the purpose of defeating legislation. The promoter and secretary of this organization was Dr. J. H. Senner, who will be referred to again. The principal work of the Immigration Protective League, apart from appearing at one or two hearings, was the distribution of circular letters, printed in the German language, which were sent to German but not to English newspapers, and to various German societies throughout the United States. These circulars were so remarkable that they deserve quotation. The one sent out in 1898 contained the following language:

" . . . The nativistic authors of such entirely superfluous new laws pretend that their only object is to protect the American laboring man against foreign competition. This is, however, only a poor excuse for their real scheme, dictated by that hatred of the foreigner, whom they would like to exclude altogether. . . .

" If, in particular, the now comparatively feeble stream of German immigration is completely cut off, then they will succeed in oppressing Germans in this country, and ruin the German element politically and industrially. To the great satisfaction and delight of the English-American press, many a German newspaper, whose competition is a thorn in their flesh, will be forced to the wall. No German church building will then be erected any more, or conserved; no German school could exist, and the German language will disappear from the public schools."

When it is remembered that, on the strictest construction, the Lodge bill would have excluded less than 1.5 per cent. of German immigrants it is apparent that the absurdity of such an appeal to race prejudice has rarely been equalled. Hundreds of thousands of Germans in

this country are among the best foreign-born citizens we have, and no one would wish to ruin them industrially, even if it were possible, as it is not. Senator Fairbanks stated in 1898: [18]

"I received and am still receiving protests [against the Lodge bill] from various societies in Indiana. One of them was from a German organization in Jeffersonville. I took the trouble to investigate this, and found it had been directly instigated by a steamship agent, and that the members of the German Aid Society, who ostensibly protested, were led to believe that it was a general restriction of immigration and not merely an attempt to keep out illiterates, which these very men who protested heartily approved of." [19]

In the Fifty-sixth Congress, the Senate Committee reported an illiteracy test bill on January 15, 1900, but no vote was taken in either house. In the Fifty-seventh Congress the Immigration Restriction League again caused its bill to be introduced into both houses.[20] The machinery for applying the test, omitting the writing requirement, was substantially the same as in former

[18] *Chicago Tribune*, Jan. 21, 1898. The Evansville, Indiana, *Courier* of Jan. 19, 1897, in speaking of protests against the Lodge bill from certain branches of the German Catholic Central Society of the United States pointed out that the Evansville Branch of the Society would have endorsed the Lodge bill if they had not been misled into supposing that the bill required the reading and writing of English. Such a belief would have been a very natural consequence of reading the circulars above referred to. See also an article by Hon. Wm. A. Stone of Pennsylvania, in *Illustrated American*, vol. 21, p. 840 (June 26, 1897).

[19] See further, as to the opposition of the steamship companies, *Publications of the Immigration Restriction League*, Nos. 22, 24 and 32.

[20] H. R. 2013 by Mr. Watson of Indiana, Dec. 13, 1901; S. 222 by Mr. Lodge of Massachusetts, Dec. 4, 1901.

years, and the language of the excluding clause was as follows: "All persons over fifteen years of age and physically capable of reading who cannot read the English language or some other language; but an admissible immigrant or a person now in or hereafter admitted to this country may bring in or send for his wife, his children under eighteen years of age, and his parents or grandparents over fifty years of age, if they are otherwise admissible, whether they are so able to read and write or not." At this time, the bill prepared in accordance with the recommendations of the Industrial Commission and of a conference of the commissioners of immigration at the various ports, which afterwards became the Act of March 3, 1903, was pending.[21] On May 22, 1902, on motion of Mr. Underwood of Alabama the educational test, in the form last given above, was added to the bill in committee of the whole by a vote of 86 to 7.[22]

On June 23, 1902, the bill was favorably reported by the Senate Committee, but in the session of 1902-3 it

[21] H. R. 12, 199, reported March 18, 1902. *House Reports*, 57th Cong., 1st Sess., No. 982.

[22] While the bill was pending, the Immigration Protective League published another circular in the German language, of a part of which the following is a translation:

"Again the nativistic serpent raises its poisonous head and seeks to press through the United States Congress some bill to forbid immigration wholly or to limit it to such an extent that the coming of your brothers and sisters from the old fatherland must wholly or partially cease. Do you know what this means? Observe the treatment of the Chinese and negroes in this country and you know what lies before you."

The bill as it passed the house would have excluded at most only 15 to 20 per cent. of the total immigration, and probably not over one per cent. of the German immigration.

It is interesting also to note that at the hearings before the

became evident that although a majority of the Senate favored the educational test, certain senators were determined to defeat the whole bill if the section embodying this test were retained, and Messrs. Penrose, Lodge and Fairbanks, who were in charge of the bill, agreed to drop this section (Sec. 3) in order to save the general bill.

In the Fifty-eighth Congress the League's bill in the form last given was introduced into both houses,[23] but no reports on any measures were received from the Immigration Committee of either the House or the Senate. This was owing partly to the pressure of other matters, partly to the great increase in industrial activity which created a temporary demand for unskilled labor, and partly to a desire to see the practical operation of the Act of March 3, 1903, before undertaking further legislation.

During all these years from 1894 on, the subject of immigration restriction was attracting wide attention through the country. The question of the illiteracy test was debated in the schools and colleges, and advocated or denounced in lectures, pulpits and from professors' chairs. Seldom has a question of which the public has made so little study been a subject of such widespread

Senate Committee in 1903, the bill which became the Act of March 3, 1903 was opposed by the International Navigation Company, the Chicago, Milwaukee & St. Paul Railroad Co., the Southern Pacific Railroad Co., and the Hawaiian Sugar Planters' Association. The railroads and steamships, of course, have a joint interest in the immigrant traffic and the former are also interested as employers of cheap labor. As to the combination to control the immigrant situation, see Chicago *Times-Herald* of Nov. 22, 1897, which gives a list of the affiliated corporations.

[23] H. R. 832 by Mr. Watson of Indiana, Nov. 10, 1903; S. 15 by Mr. Lodge, Nov. 11, 1903.

interest and it is on this account that the history of this particular measure has been given with such detail. The only other recent suggestion in regard to the educational test has been that in which it was combined with consular inspection, an intending immigrant being required to produce a consular certificate that he could read and write.[24] No action has ever been taken on this suggestion.

We come now to some consideration of the merits and defects of this proposed plan of restriction. It has been a handicap to the educational test that its purpose and working are often misunderstood, even by those who are in favor of it. This misunderstanding is usually expressed in the saying: "A man is no more moral because he can read and write." President Cleveland himself, in his veto message, showed that he was not entirely familiar with the object sought to be gained by the bill and the way in which this object would be accomplished. The principal difficulty with all the immigration laws hitherto enacted, as has been frequently said before, is that they are so framed as to be very elastic in their interpretation. The principal excluded class at the present time is that of persons "liable to become public charges." This clause is very elastic. At times the law has been enforced in such a way as to make exclusions comparatively few; at other times it has been more strictly enforced. This elasticity would not be such a great defect if one could be sure that the officers charged with the administration of the law were sufficiently informed of the labor conditions in the country

[24] See 55th Cong., S. 2779 introduced Dec. 14, 1897 by Senator Kyle; Charles Stewart Smith, in *North American Review*, vol. 154, p. 438 (Apr. 1892); *Special Consular Reports*, vol. 30 (1904), p. 70 and *passim*.

and the practical effects of immigration upon the social and political conditions, especially in the eastern part of the United States.

The theory of the educational test is that it furnishes an indirect method of excluding those who are undesirable, not merely because of their illiteracy but for other reasons. We have already seen [25] that there is a fairly constant relation between illiteracy, the amount of money brought by the immigrant, his standard of living, his tendency to crime and pauperism, his disposition to congregate in the slums of cities instead of going out to settle new parts of the country, and his failure to assimilate politically and socially and to have any but temporary interests in the country. Undoubtedly some illiterates would make desirable citizens and undoubtedly mere illiteracy as such can be conquered, in the second generation at all events, with much labor and expense; but the hereditary tendencies of the peoples illiterate abroad, and especially of their uneducated classes, cannot be overcome in a generation or two. While it should be clearly understood that it is not claimed that ability to read and write is an evidence of good moral character, this test would, nevertheless, practically operate to exclude a very large part of the immigration which is destitute of resources either in money, or still more, in ability and knowledge of a means to support itself; which is generally ignorant; which has criminal tendencies; which is averse to country life and congregates in our city slums; which has a low standard of living and little ambition to seek a better; and which has no permanent interests in this country. Furthermore, as we have seen, the most powerful factor in assimilation, both social and political, is the ability to read, if not in

[25] Chapters v., A, and viii., A.

the English language at least in some language.[26] The ability to read and write his own language does not seem an unreasonable requirement to make in the case of one seeking to enter a democracy like ours. At the entrance to our principal port at which immigrants arrive, we have placed a statue of Liberty Enlightening the World. The statue carries in one hand a torch and in the other a book; and this, properly interpreted, means not merely that immigrants shall be educated to a higher degree after they get here, but that they should be able to read the fundamental law of the land by the light of Liberty's torch in order to entitle them to enjoy the advantages which Liberty has produced.

The principal advantage of the educational test is that it is a definite rule of exclusion. It is equally definite for our immigrant inspectors, for the foreign steamship agents and for the immigrants themselves. It could and would be applied at the places where tickets were bought by the immigrants, and by the steamship companies; therefore, there need be no great change in existing machinery, or any large increase in consular service or in expense. By excluding many of the otherwise doubtful cases, it would relieve the boards of special inquiry and would, to that extent, permit a more thorough examination of the remaining immigrants. The certainty of the test renders it valuable to the immigrant, for it saves him the hardship of making the voyage in doubt as to his admission or exclusion. This in itself does away, in

[26] Chapter viii., c.

"It is conceded that less than three per cent. of those unable to read and write at the age of sixteen ever after acquire this education. The alien who has never acquired the primary steps to an education is likely to acquire our language with difficulty, and will not assimilate readily with our customs and manners." *Report of the Superintendent of Immigration, 1892,* p. 19.

large part, with the separation of families, and with the temptation to a lax enforcement of the laws in order to prevent such separation.

The mere expectation that the Lodge bill would become law has already done much to promote elementary education in the kingdom of Italy;[27] and it is not unlikely that the adoption of an educational test by the United States would be followed by the adoption of similar regulations in other countries, and would stimulate general education throughout the world. It has already been adopted in an optional form in Australia, New Zealand, Cape Colony, Natal, and other British colonies.[28]

The educational test has had the most united support, on the part of all sorts and conditions of men in this country, ever given to any immigration bill, or, indeed, to any bill of similar sociological importance. In the Fifty-seventh Congress, the report of the Senate Committee[29] contained a list of 4444 petitions for the educational test presented to the first session of the Fifty-seventh Congress, covering fifty-seven pages of the report; and a further list of endorsements of restriction and the test covering fourteen pages. Among these petitions and endorsements, were the Legislatures of three States and House of Representatives of a fourth;[30] all of the associations formed in the northwestern part of the country for the promotion of immigration into that section; the American Federation of Labor by a vote of 1858 to 352 at its national convention held in Nash-

[27] *Report of Italian Commissioner-General of Emigration, 1904.* See Boston *Evening Transcript*, Sept. 12, 1904.

[28] See James D. Whelpley, *The Problem of the Immigrant.*

[29] *Senate Documents*, 57th Cong., 2d Sess., No. 62 (1902).

[30] California, Washington, Wyoming, Arkansas.

ville, December 17, 1897; and the General Assembly of the Knights of Labor in 1896, 1897, 1901. It was likewise endorsed by the Republican national platform of 1896, by the Massachusetts Republican platforms of 1897 and 1898, and in the message of President Roosevelt, December 3, 1901. The Industrial Commission, until within a few days of the adoption of its final report, was practically unanimous in favor of the test; but at the last moment decided, on practical grounds, not to recommend it, although the chairman and one other member filed additional reports in its favor. It was recommended also by Superintendent of Immigration Owen in his report for 1892; and by Commissioner-General Sargent in his report for 1903. The latter says:

"This requirement, whatever arguments or illustrations may be used to establish the contrary position, will furnish alien residents of a character less likely to become burdens on public or private charity. Otherwise it must follow that rudimentary education is a handicap in the struggle for existence, a proposition that few would attempt to maintain. It would also, in a measure, relieve the American people of the burden now sustained by them of educating in the free schools the ignorant of other countries." [31]

In 1902 about two-thirds of the Boards of Associated Charities of the United States petitioned Congress in favor of the Lodge bill. The test has also been endorsed by the National Prison Reform Association, and by about 90 per cent. of the newspapers in the United States having editorials upon the immigration question, as shown by clippings received by the press bureau of the Immigration Restriction League.

[31] *Report of the Commissioner-General of Immigration, 1903*, p. 61. Cp. *ibid.*, *1904*, p. 106; *1905*, p. 76.

Dr. J. H. Senner when Commissioner of Immigration at the port of New York favored an illiteracy test, on the ground that illiteracy is invariably coupled with a low standard of living.[32] He not merely favored the test at that time, but actually put it in operation for several months, and reported that it was easily applied, was practicable as a method of restriction. It is true, however, that Dr. Senner, after leaving the government employ and becoming connected with the Immigration Protective League, changed his view, and was most vehement in his denunciation of the educational test. In addition to the usual argument, that it would exclude many sturdy though ignorant immigrants, Dr. Senner has specified[33] certain other objections to the plan.

These were that if enforced against women, the test would practically create a still more pressing servant problem, as, in general, more of the women than of the men are illiterate; and this would apply especially in the case of Italians who have not as yet gone much into domestic service, although efforts are now being made to induce them to do so. It may be answered to this objection that hitherto the class of women going into domestic service have come chiefly from Ireland, Germany, Scandinavia, and Canada, and have had a comparatively small percentage of illiteracy. Dr. Senner also considered that the test would be a discrimination in favor of the affluent, and therefore undemocratic. He likewise mentioned the difficulty of enforcing the test in the case of cabin passengers, and the futility

[32] *North American Review*, vol. 162, p. 655 (June, 1896); *Annals of the American Academy of Political and Social Science*, vol. 10, p. 15 (July, 1897).

[33] *Independent*, vol. 50, p. 78 (Jan. 20, 1898).

of it if it were not enforced against cabin passengers. We have seen, however, that since Dr. Senner wrote, the immigration laws have in practice been applied to cabin passengers without any serious difficulty and the illiteracy test would not increase the difficulty appreciably. Dr. Senner further alleged that an examination as to reading and writing would deter the Germans from emigrating, although owing to the small percentage of illiteracy among them, they could practically all pass the test. He does not, however, allege that German immigration fell off owing to his putting of the illiteracy test in force for some months at Ellis Island, and it is difficult to see why one item out of many in the examination should deter anybody who is certain of passing such a test from emigrating. While it is true that many of the Germans are opposed to the educational test on principle, the theory that it would deter German immigration must be considered a figment of the imagination.

Another objection made to the test is, that it would soon cease to operate as against certain races owing to the spread of education. Admitting this to be so, it is obvious that there will be for many years illiterate individuals of many races; and with increasing immigration from Asia and Africa, this safeguard is needed in the immediate future. Just how far the test would cut down the volume of immigration is a question. It was estimated that the bill which President Cleveland vetoed would have cut down immigration from fifteen to twenty per cent. In other words, the exceptions made in the bill would have admitted from one-quarter to two-fifths of the illiterates over fourteen years of age, reckoning the total illiteracy of such persons at twenty-five per cent. It is possible that the effect of the act might be much less than this after a year or two; for, if the steamship

companies should be prevented from bringing illiterates, they would immediately try to secure emigrants who could read. However this may be, there is no doubt that the quality of immigration would be much improved by such a selection.

An objection frequently made to the educational test is, that it would not shut out criminals, many of whom are well educated. In answer to this, it may be said that criminals are already excluded by law, and the illiteracy test is to be added to the existing provisions of law, and is not to be a substitute for any of them. It has always seemed to the writer that a few intelligent criminals or anarchists were far less detrimental to the country than large numbers of men too ignorant to see through their arguments, and forming inflammable material which can be easily kindled into the flame of disorder.[34] Moreover, it is not true that the test would be valueless as against criminals. The census of 1890 showed that nearly 21 per cent. of the foreign-born criminals were illiterate, and that the illiteracy of the foreign-born white criminals in 1890 was double that of the native-born white criminals. These foreign undesirables, and, what is more important, their children, would not now be here to any extent if an educational test had been in force for the last forty years.[35]

[34] In favor of this view, see *Lecture Bulletin of the Institute of Social Economics* (Nov. 1, 1901), p. 85; Charles Stewart Smith in *North American Review,* vol. 154, p. 437 (Apr. 1892); John Chetwood, Jr., in *Arena,* vol. 17, p. 790 (Dec. 1897). Secretary of War Taft says in the *Churchman* of Oct. 1, 1904, that this is true in the Philippines. See *contra,* on the ground that the ignorant do not read socialistic literature, Dr. Allan McLaughlin, in *Popular Science Monthly,* vol. 66, p. 245 (Jan. 1905).

[35] Cp. speech of Senator Fairbanks in the Senate, January 11, 1898.

In any legislation embodying the educational test it would probably be found advisable to exempt citizens of Canada, Newfoundland, and Mexico, and, perhaps, bona fide residents of those countries for a year or some other period before entry; otherwise the test is likely to stir up considerable opposition among the railroads crossing the borders, who do not want their Canadian business interfered with. It would probably also be found necessary to forbid the entrance of aliens from foreign contiguous territory except at certain specified ports of entry, because it is obviously impracticable to have the machinery for examinations at every point of crossing. Both these features were discussed in connection with the bill as it passed the House in the Fifty-seventh Congress, and considered to be desirable. It was claimed by the International Navigation Company and others that the former provision, as well as the similar provision as to the head-tax in the existing law, violated all treaties with foreign nations granting their citizens as favorable treatment as citizens of any other nation. The State Department, however, thought differently; and, as no trouble has arisen with the existing law in respect to the head-tax, it would doubtless not arise with regard to an educational test.

D. CONSULAR INSPECTION

Of the various plans for further regulation of immigration, the plan known as "consular inspection" has, perhaps, until recently, been the most popular. This plan contemplates the examination of each alien at the port of embarkation by American consular officers. On its face it appeals to common sense. It would seem, at first sight, that more knowledge can be obtained of an

immigrant's antecedents, habits, and character in the country of his birth or residence than in the United States. Then, too, the fact that rejection in a foreign country saves the immigrant the hardship of the voyage and the uncertainty whether he will be admitted, and whether he will be separated from his family or friends, appeals to our sympathy.

Schemes for consular inspection may be divided into two classes and in two ways. The examination may be voluntary, as a result of an application by the alien, and in this case the consular inspection is auxiliary to the inspection in this country; or, the inspection may be involuntary. That is, it may be prescribed for all aliens intending to come to this country, and may be either auxiliary to the existing inspection or may be a substitute for it. Both of these plans were frequently before Congress during the ten years prior to 1895 and received a large measure of public support.[36]

Consular inspection was the most popular plan for further restriction until the educational test was brought forward. One of the most zealous advocates was Hon. William A. Stone of Pennsylvania, a Congressman from this State and afterwards its Governor. The bill advocated by him[37] provided that no immigrant should be admitted unless he could exhibit at the port of arrival a certificate, signed by the United States consul or authorized representative of the United States at the place nearest where he last resided, setting forth that he did not belong to the excluded classes. The immigrant, in addition to obtaining this certificate, was required to conform to all the existing requirements of

[36] See Sen. H. C. Hansbrough, in *North American Review*, vol. 156, p. 224 (Feb. 1893).

[37] 53d Cong., 2d Sess., H. R. 5246; 54th Cong., 1st Sess., H. R. 58.

the law; that is to say, the Stone bill was auxiliary to the existing system and not a substitution. It provided that the State Department should make rules and regulations to carry the act into effect, and the details were, therefore, not incorporated in the statute. This act passed the House of Representatives July 20, 1894. Mr. Stone also introduced another bill into the same Congress,[38] setting forth more in detail the method which he would employ to restrict immigration by means of consular inspection.[39] Under this bill, an alien desiring to migrate to the United States was to swear to an application giving the reason of his desire to migrate, his trade, age, state of health, and statement of property. The applicant was also to file a passport of recent date from his native government granting permission to migrate, and a certificate from the chief officer of police of the place where he resided certifying that he had not been under charge of crime or violation of the law for five years.

The representative was then to fix a day for hearing within thirty days from the receipt of the application, and notice of such hearing was to be sent to the government of the applicant's country and to the chief officer of police. The consul was to subpœna and examine such witnesses as were necessary to determine whether the application was true and whether the applicant was a fit subject to become a citizen and resident of the United States. If he found him to be such a person, he was then, on payment of $20, to issue a permit enabling the applicant to sail within four months; but if it appeared that the emigrant was one of

[38] H. R. 243.

[39] It may be noted in passing that this purports in its title to be a bill "to restrict immigration" and not merely to provide a substitute or auxiliary method of inspection.

the excluded classes, or, being over sixteen years of age, could not read and write his own language, or if the government having jurisdiction over him objected to his leaving, or if he were a bad character or over a certain age, the permit was to be refused. Upon arrival at a port of the United States, immigrants with permits were to be allowed to land. The immigrants who had obtained their permits through fraud or were unable to produce them were to be returned to the port whence they came. Any officer of a steamship receiving immigrants without permits in a foreign port was to be liable to prosecution, and any immigrant coming to this country without such a permit could be arrested at any time within five years and returned to his own country by order of a United States court. Various other bills were introduced at about the same time[40] containing schemes for consular inspection, more or less similar. One of them required that the application for the permit should be accompanied by a photograph.[41] A bill introduced by Senator Chandler, provided for consular certificates, but these were to be merely evidence taken in connection with other facts at the port of arrival, and were not to be conclusive as to the right of the immigrant to land.[42] Another suggestion required a consular certificate of the ability of the immigrant to read and write.[43]

[40] *e. g.* 52d Congress, H. R. 32 by Mr. Geary; H. R. 575 by Mr. Lodge; H. R. 9,104 by Mr. Beltzhoover; S. 134 by Mr. Chandler; S. 357 by Mr. Puffer.

[41] Cp. *Special Consular Reports,* vol. 30, p. 22 (1904).

[42] Cp. S. 2543 introduced by Mr. Washburn providing for a declaration by aliens before consuls stating certain information, and for a perliminary inspection in foreign countries.

[43] 55th Congress, S. 2779, introduced Dec. 14, 1897 by Senator Kyle. Cp. Charles Stewart Smith, in *North American Review,* vol. 154, p. 348 (Apr. 1892).

One of the principal arguments in favor of consular inspection is, as has been said, that under our present system, the immigrant's own word has to be taken for most of the questions asked upon the manifest; and it is assumed that consuls in Europe will have better opportunities for ascertaining the facts in regard to an immigrant's character and circumstances.

Attractive as the plan is at first sight, a more careful study discloses defects which are practically fatal to successful operation; and on account of these defects consular inspection has gradually been dropped by the careful students of the immigration question.[44] The objections to the plan may be summed up as follows: (1) It would necessitate a large increase in the consular force and consequent expense. Not very long ago there were only three consuls of the United States in the whole of Russia. Considering its size it is apparent that it would be absolutely impossible to supervise emigration from such a country, or indeed from any European country, without a very large increase in the consular force, and that unless the consuls were widely scattered none of them would be near enough the emigrant's place

[44] Mr. Broughton Brandenburg, however, favors examination before boards of American officials in foreign countries. See *Imported Americans,* chapter xxii. The plan is to have these boards visit the districts from which immigrants come and grant to each admissible person a certificate, containing a photograph or other identification, entitling him to admission to the United States within thirty days from issue. The successful operation of the plan would depend upon the honesty and efficiency of boards operating at long distances from the United States. The principal advantage, if foreign governments would permit it, would be the opportunity to obtain information as to immigrants in their own homes. It is needless to say that most of the consuls themselves are heartily in favor of the plan of consular inspection. See *Special Consular Reports,* vol. 30 (1904), *passim.*

of residence to have any special facility in obtaining information about him. (2) The consuls themselves would not have, in addition to their other duties, the time to examine the large numbers embarking at once, and the result would practically be that the inspection would be done by clerks, probably natives, who would generally sympathize with the emigrants; and, in any case, it would be less efficient and responsible and more open to corruption than that of inspectors at the ports of the United States. In this connection it may be said that the writer has frequently seen manifests sworn to in blank before American consuls, although the intention of the law was that the filled-in statement alone should be sworn to. If such irregularity is possible in a simple matter like the swearing to a manifest, how much more irregularity would there be with a system as complicated as that of immigration inspection in a country thousands of miles from the United States, and with no possibility of public supervision or private watching? (3) If the certificate is to be conclusive, the elaborate machinery for inspection at American ports must still be maintained in order to detect and deport those arriving without proper certificates; yet these will be so few in comparison with the whole number that most of this enormously expensive plant would be rendered useless. If, on the other hand, certificates are not to be conclusive, then the system is open to the most serious defect of all, namely, that it divides the responsibility between the consul and the inspector at the American port. In doubtful cases each of these would throw the responsibility upon the other and the immigrant would be allowed to enter; or if the inspection is still to be maintained in full vigor at all ports there is a certain hardship to the immigrant if he complies with all the requirements of consular inspection

and still is not allowed to land. (4) Consular inspection as such does not add to the excluded classes, and therefore does not meet the most serious defect in the present law, namely, its failure to exclude paupers, diseased persons and other objectionable aliens. (5) It does not draw any line of exclusion more definite than the existing law, but, as above suggested, it vests an enormous discretion in officials far removed from oversight and control. (6) Consular inspection must either be public or secret. The foreign governments would not tolerate the introduction of secret extra-territorial courts such as these consular offices would be. But if consular inspection were public the foreign governments would use every effort to keep at home strong and healthy citizens fit for military service, and to assist in the emigration of those members of the community whom they desired to be rid of. (7) It is a fallacious assumption that consuls are in most cases any better able to ascertain the truth of the immigrant's statements than inspectors at our ports. Take the case of an emigrant who comes overland three or four thousand miles to embark from a Russian port. What possible means can the consul have to ascertain the truth of the evidence which the emigrant presents? and the same might be true of an emigrant from the same town in which the consul resided, for it might require a long and expensive investigation to disprove the emigrant's story even in the latter case. Furthermore, there are certain matters which, in the nature of the case, a consul at the port of embarkation cannot know as well as the inspectors here. One of these is the existence of a disease which has not developed at the time when the emigrant applies for his consular certificate, but which does develop during the voyage to this country. Another such fact is the ex-

istence of friends or relatives in the United States able and willing to support him or to find him work. The same thing applies to the conditions which render the immigrant liable to exclusion as a contract laborer. Indeed, under a system of consular inspection the only kind of contract which could be reached or would furnish a basis for excluding an immigrant would be a bi-lateral contract made before the immigrant presented himself at the consul's office.

The difficulty of inspection in a foreign country has been often pointed out,[45] and is conclusively shown by the experience which the United States has already had with the system as applied to Chinese persons. The report of the Commissioner-General for 1903,[46] states that consular examination is practically of no value; that the holders of certificates given by the consul deny the statements made therein and in other ways show that the law in regard to these particulars is complied with in a purely perfunctory way.

The chairman of the Senate Committee on Immigration, in the Fifty-fourth Congress, Hon. H. C. Lodge, in speaking of consular inspection in the Senate, March 16, 1896, used the following language:

"This plan has been much advocated, and if it were possible to carry it out thoroughly and to add very

[45] See Hon. John B. Webber, formerly Commissioner of Immigration at New York, in *North American Review*, vol. 154, pp. 424-431 (Apr. 1892); Gustave H. Schwab, agent of the North German Lloyd Steamship Company, in *Forum*, vol. 14, p. 808 (Feb. 1893); Hon. Henry Cabot Lodge, for several years chairman of the Senate Committee on Immigration, in *Century*, vol. 67, p. 468 (Jan. 1904); J. J. D. Trenor, in *Annals of the American Academy of Political and Social Science*, vol. 24, p. 224 (July, 1904).

[46] P. 108.

largely to the number of our consuls in order to do so, it would no doubt be effective and beneficial. But the committee was satisfied that consular certification was, under existing circumstances, impractical; that the necessary machinery could not be provided; that it would lead to many serious questions with foreign governments; that it could not be properly and justly enforced, and that it would take a long time to put it in operation. It is not necessary to go further into the details which brought the committee to this conclusion. It is sufficient to say here that the opinion of the committee is shared, nay believed, by all expert judges who have given the most careful attention to this question."

E. OTHER METHODS [47]

In addition to the methods of restriction already discussed, certain others have been proposed which have not received as general support, but which should be mentioned, in order to give a complete view of the subject.

Total suspension of immigration. It has been suggested that until the immigration already here is completely assimilated, all immigration should be stopped for a certain period. This proposal is usually made by extremists. A bill to stop immigration for one year was introduced into the 52d Congress, and one to suspend the coming of alien laborers for five years, into the 53d Congress; but the plan has never been seriously considered except in connection with quarantine against foreign epidemics.

Exclusion of certain races. It has sometimes been said that the arguments which have been used

[47] This division is based largely upon the bills introduced into the 51st, 52d, and 53d Congresses not covered by preceding divisions of this chapter or by subsequent legislation.

to defend the Chinese Exclusion Acts logically apply to certain other races, like the Japanese. It is urged that race is, after all, the fundamental test of desirability, and that the only straightforward way to restrict immigration is to specify certain nationalities or races of Europe and Asia who should be excluded for a period of years or for all time.[48] The objection to this plan is that no European nation would be willing to be put upon such a footing, and would bitterly resent any attempt at proscription. For diplomatic reasons, therefore, the scheme is impracticable.[49]

Limitation of numbers. Instead of stopping all immigration for a period of time or excluding certain races altogether, a sort of combination of these methods has been advocated, namely, limiting the number of aliens who may enter from any one country in any year. The principal supporter of this plan has been Hon. Robert Adams, Jr., of Pennsylvania, who introduced a bill into the 58th Congress to carry out this idea.[50] This bill provided that it should be unlawful for more than eighty thousand aliens from any one nation to enter the United States during any fiscal year, with the exception of representatives of foreign commercial houses and foreign governments. After the full quota from any nation was admitted in any fiscal year, all other citizens or subjects of such nation were to be refused admission and returned as provided by law in the case of other inadmissible aliens. In theory this suggestion is not without merit. Practically it contained serious defects. For example, one

[48] See Edward F. McSweeney, formerly assistant Commissioner at New York, in *Donahoe's Magazine*, vol. 35, p. 132 (Feb. 1896).

[49] *Report of the Commissioner-General of Immigration, 1902*, p. 60.

[50] H. R. 12906, introduced Feb. 24, 1904.

can imagine that the same unfortunate condition would arise at the beginning of each fiscal year which takes place when a new Indian reservation is opened for settlement, so that aliens would come, crowding ships to their utmost capacity, and using every tramp steamer in order to be in time to be admitted. The result would be that the inspection service would be absolutely swamped, and great hardship would result through the detention of aliens for examination and the return of those whom the event showed had arrived too late. There is also the difficulty that, inasmuch as people of one race come from various countries, there would be a great deal of fraud attempted, in order to make out that the alien was the subject of a country which had not, at the time of his application for admission, reached its quota of 80,000 persons. Furthermore, the coming of such a large number of aliens at one time, even if it were provided that a certain number only should arrive in each month, would disorganize the labor market and throw out of employment many already here. All the economic evils of present immigration would be intensified through compressing arrivals into a few short periods of time.

A more hopeful suggestion to limit numbers is that which follows the precedent of the laws originally designed to protect immigrants, by obliging transportation companies to furnish sanitary accommodations during the voyage.[51] For example, it has been suggested that the present requirement of one hundred and twenty cubic feet of air space for each passenger carried below the upper decks should be changed to two hundred or three hundred feet. This would reduce the number of steerage passengers which could be brought on existing vessels. It has also been suggested that the number of immi-

[51] *Supra,* chapter x., A.

grants which any vessel may bring should be limited to 100, 500, or 1000 on each voyage.[52] This would be a practical restriction upon immigration, as a large proportion of the profit from immigration business comes from the use of very large steamers carrying several thousand persons. On this account, any such proposal would meet with the bitter opposition of the transportation interests; and it is also open to serious difficulty in respect to immigration coming in through Canada or Mexico, as it would be impracticable to apply the law to vessels arriving at Canadian ports. And unless some method were found covering this difficulty it would simply result in immigration being diverted to Canadian ports and coming in over the border.

Additions to the excluded classes. It has been suggested that the following be added to the excluded classes:

(a) *Socialists.*

(b) *All immigrants, or at least all manual laborers, who do not at once declare their intention to become citizens.* It may be noted in passing that propositions of this sort conflict with the proposition to extend the period of deportation; for the former appears to contemplate an immediate political assimilation, while the latter forbids this and substitutes a definite period of probation. It may seriously be questioned whether the additional grip upon the alien supposed to be given by obliging him to take out his first papers is of any especial value, or of as much value as the power to deport him if he becomes a burden upon the community. Furthermore, it is obvious that there must always be large numbers of aliens travelling for business or pleasure, and to

[52] S. L. Baldwin, in *Independent,* vol. 45, p. 1472 (Nov. 2, 1893).

adopt this provision would involve reviving the troublesome distinction between "immigrants" and "alien passengers."

(c) *Persons of bad character.* This suggestion is usually put in the affirmative form, that the alien must produce some evidence of good moral character or reputation. Much that has been said about the value of the evidence under consular inspection abroad applies to facts of this kind. So far as it rests upon testimonials of fellow citizens of the alien, there is no means of verifying it or of detecting forgeries and frauds. In some foreign countries, like Italy, the police give certificates of character, and it was suggested by Commissioner-General Stump in 1894 that aliens from countries granting such certificates be required to produce them upon arrival. A bill was introduced into the Fifty-second Congress requiring every alien to produce a passport from his native government and a certificate from the police of his native town that he had not been charged with crime within five years. In the Fifty-first Congress it was proposed to require a passport giving full information about the alien which should be viséd by a representative of the United States abroad. The trouble with both of these plans is that they would tend to lower the quality of immigration by diverting the better elements to other countries; for it is in the interest of the foreign countries to keep at home the strong, healthy and industrious citizens for military service, and to let go only those who are undesirable.[53] As respects the latter plan, it has most of the defects of the consular inspection scheme, and too much weight might be given to the proposed certificates.

[53] Cp. Charles Stewart Smith, in *North American Review*, vol. 154, p. 437 (Apr. 1892); *Special Consular Reports*, vol. 30 (1904), *passim*.

When we consider the ingenuity displayed by aliens in fraudulently entering this country and in fraudulently securing citizenship papers, it seems that the only safe reliance is on inspection and testing of the individual, and not on certificates of any kind. Nevertheless, it is clear that our present law excluding convicts is not sufficient, and that the criminal record of aliens in this country justifies every effort to exclude persons of bad character.[54]

(d) *"Birds of passage."* In the Fifty-third Congress bills were introduced making it unlawful for any alien to labor in this country while retaining his home in a foreign country, or to come in to perform daily service in this country. Bills of this character have aimed chiefly at Canadians, who come into the United States to labor for a part of the year, or who come across the border during the day, returning at night. At any rate, it is difficult to draw a bill affecting birds of passage which would not affect this class. But measures of such a character are bound to produce great friction with Canada. The so-called "Corliss Amendment" to the "Lodge Educational Test bill" in the Fifty-fourth Congress was introduced because of the agitation of certain labor unions in Detroit who were adversely affected by Canadian labor; and, as was said above, the Lodge bill as amended, was vetoed by President Cleveland largely on account of the danger of international complications introduced by this amendment.

(e) *Persons without families.* The Immigration Investigating Commission in 1895[55] advocated the plan of admitting persons having families abroad only condi-

[54] *Report of the Commissioner-General of Immigration, 1903*, p. 61.

[55] *Report*, p. 45.

tionally until the families were brought over. This was on the theory of diminishing the numbers of the "birds of passage," by giving the immigrant a settled home here.

(f) *Aged persons.* The Commissioner-General[56] has recommended the adoption of an age limit, for example, sixty years, and the exclusion of persons over this age unless they have children able to provide for them. While it is true that aged persons are the more likely to become public charges, it is also true that only about five per cent. of the total immigration is over forty-five years of age and probably but a small fraction of one per cent. is over sixty years. The number of these aged persons is, therefore, in any case very small. It is also true that in few cases would they have any children after landing. Hence, whatever objectionable hereditary influence they might have would be shown only in their sending for children or grandchildren from abroad.

Mental test. Some who have objected to the educational test, on the ground that it shows merely a capacity to acquire a small amount of education in a particular direction and is not a fair test of mental ability, have suggested that other methods might be devised for ascertaining the mental development of the alien.[57] In other words, it is claimed that many persons have strong mental ability who have not had an opportunity to acquire the art of reading and writing. It is possible that something might be accomplished along this line. The obvious objection is the amount of time required to make such tests.

Extending the period of deportation. Many people

[56] *Report, 1903,* p. 84. Cp. New York Board of Trade, *Charities,* vol. 12, p. 136 (Feb. 6, 1904).

[57] Gustave Michaud, in *Century,* vol. 76, p. 689 (March, 1903).

who object to any further measures of exclusion are quite willing that aliens should be deported who prove to be objectionable after a fair trial; in other words, that immigrants should pass through a probationary period. For example, it has been proposed to extend the period within which public charges may be deported to five years.[58] Similar suggestions have also been made in regard to those becoming insane within a year after landing from causes subsequent thereto.[59] Mr. Gustav H. Schwab, himself a steamship man has said: "The steamship companies should be obliged to return such immigrants at any time within such period as may seem proper to protect our poor-houses, insane-asylums and other institutions." [60]

G. ADMINISTRATIVE AMENDMENTS

The defects in the existing law which were pointed out in the last chapter suggest certain respects in which improvements could be made in administration. Given executive officials fully in sympathy with a strict enforcement of the law, and a few changes of an administrative nature in the law itself, and it is probable that immigration could be considerably reduced in numbers and improved in quality without any additions to the excluded classes or the adoption of any radical measures of restric-

[58] Commissioner-General Powderly, in *Report of the Commissioner-General of Immigration, 1899; ibid, 1900.*

[59] *Report of the Commissioner at New York, 1901.*

[60] *Forum*, vol. 14, p. 812 (Feb. 1893). Cp. Dr. Allan McLaughlin, in *Popular Science Monthly*, vol. 62, p. 236 (Jan. 1903). See also the draft bill of the Industrial Commission extending the period of deportation to four years. *Report of the Industrial Commission*, vol. 19, p. 1019, § 20.

tion. We shall now proceed to summarize the more important of these matters.

Cooperation of all officials. The lack of harmonious and efficient cooperation between the various officials of the immigration service, and between these and the officials of the Department of Justice is a source of great embarrassment in enforcing the law. The lack of diligence on the part of district attorneys in securing prompt and thorough prosecutions tends to encourage violations and to dishearten conscientious immigration officers.[61]

With a law as elastic as the present, there is likelihood of fluctuation in the severity of its enforcement in accordance with the favorable or unfavorable attitude of our higher officials towards immigration. These officials are subject at times to almost irresistible political pressure and to other influences making against a strict construction and administration. A lax attitude on the part of those at the head of the service is at once reflected through all grades of officials down to the primary inspectors.

One specific subject in which lack of uniformity works especially bad results is the matter of appeals. It might be supposed that each decision on appeal would affect only the case appealed. On the contrary, every time an appeal is sustained it tends to prevent exclusions by the boards of special inquiry in cases where the facts are similar to those in the case appealed, and thus the whole service is weakened. This effect is not intentional but arises partly from a human aversion to doing futile work and partly from a fear of displeasing higher officials.

[61] See *Report of the Commissioner-General of Immigration, 1900*, pp. 50, 109. As to the difficulty of securing evidence, see *Report of the Ellis Island Commission*, p. 18 (1904).

Whenever, as has sometimes been the case, appeals have not been decided with uniformity, these evil effects are much increased.[62]

Limiting the privilege of assisting immigrants. At present, probably from one-half to two-thirds of all immigrants are assisted to emigrate, and under the law any friend or relative can prepay the passage of any alien. It has been suggested that this privilege should be restricted to members of the immediate family of the intending immigrant, and to cases where the family are able to support him on his arrival. Such a provision would do much to prevent the immigration of many who become public charges soon after arrival.

Bonding persons likely to become public charges. As already explained, many persons likely to become public charges are now admitted by boards of special inquiry on the verbal promise of friends, relatives or philanthropic societies that they will look out for them. The theory that such promises make the immigrants no longer public charges has been repeatedly found fallacious. Only relatives should be allowed to give bonds, and the latter should be for substantial amounts with good sureties. Any city, town, institution or individual damaged by the admission of the alien should be allowed to sue on his bond. A small bond is of no value because it costs too much to sue upon it. The adoption of this change would exclude a very undesirable element of the present immigration.

Other matters. The present inspection of immigrants is often very superficial owing to the small amount of time available. More inspectors and more accommoda-

[62] For other suggestions as to appeals see *Report of Ellis Island Commission*, pp. 25, 37 (1904); *Report of the Commissioner-General of Immigration, 1905*, p. 74. Cp. Department Circular of Aug. 26, 1903, Rule 8.

tions for inspection also are needed to perfect the work of examination.[63] and to test the truthfulness of statements as to occupation, destination and other matters. A more thorough inspection would undoubtedly result in the discovery of more frauds practised by immigrants similar to those in 1902-3 when it was found that large numbers of addresses in New York City of friends or relatives, to whom the aliens represented they were going, were entirely fictitious. The manifests should be altered so as to show the actual amount of money brought.[64] It is also desirable that steps be taken to obtain statistics of emigration. Landing certificates should be given to immigrants, and the production of them required for naturalization.[65] The sale of tickets by unauthorized agents of steamship companies should be forbidden, and thus the whole matter be made subject to the United States regulations.[66]

[63] Gen. James R. O'Beirne, formerly assistant Commissioner at New York, in *Independent,* vol. 45, p. 1471 (Nov. 2, 1893); Commissioner Williams, in *Report of the Commissioner-General of Immigration,* 1904, p. 101. The medical inspection of an immigrant at Ellis Island often occupies only six seconds.

[64] *Report of the Industrial Commission,* vol. 19, p. 1010; *Report of Immigration Investigating Commission,* p. 43 (1895).

[65] *Report of the Industrial Commission,* vol. 19, p. 1011.

[66] *Report of the Immigration Investigating Commission,* p. 40.

CHAPTER XIII

OTHER PROPOSED REMEDIES FOR IMMIGRATION EVILS

A. DISTRIBUTION OF IMMIGRANTS [1]

It will be apparent from the previous discussion of the economic and social effects of immigration that many of the evils arising from the enormous influx of aliens in recent years have been aggravated by the congestion of these aliens in certain parts of the country, and especially in certain large cities. This has given rise to the suggestion that, if these immigrants could in some way be taken out of the congested districts and distributed throughout the country, especially in regions thinly settled and in places where labor is wanted, it would go far towards solving the immigration problem; and it is pointed out that the dangers of immigration in the past have been minimized by the great size of this country and the scattering of immigrants over it. The desirability of distribution has been emphasized by nearly everyone who has made a study of the problem, by Superintendent Stump in 1894, by Commissioner-General Powderly in 1898, 1899 and 1901 [2] and by Commissioner-General Sargent in 1903 and 1904.[3]

[1] See *Report of the Industrial Commission,* vol. 15, pp. 492-646; vol. 19, pp. 973-977; R. De C. Ward, in *Popular Science Monthly,* vol. 66, pp. 166-175 (Dec. 1904).

[2] *Report of the Commissioner-General of Immigration, 1901,* p. 35.

[3] *Report of the Commissioner-General of Immigration, 1903,* p. 60; *ibid., 1904,* p. 45; J. J. D. Trenor, Chairman of Committee

It is obvious that some pressure must be brought to bear upon the immigrants to secure distribution, because under the present system they do not voluntarily distribute themselves. The Industrial Commission suggested, as a preliminary measure, that steps be taken to ascertain the wishes of the various localities with regard to immigrants, by means of the thousands of agents of the Department of Agriculture; and that an information bureau

on Immigration of National Board of Trade (1904), in *Annals of American Academy of Political and Social Science,* vol. 24, p. 235 (July, 1904); Dr. J. H. Senner, formerly Commissioner at New York, in *ibid,* vol. 10, pp. 18, 19 (July, 1897); C. L. Sulzburger, in *Charities*, vol. 12, p. 421 (Apr. 23, 1904). Commissioner-General Sargent says:

"In my judgment the smallest part of the duty to be discharged in successfully handling alien immigrants, with a view to the protection of the people and the institutions of this country, is that part now provided for by law. Its importance, though undeniable, is relatively of secondary moment. It cannot, for example, compare in practical value with, nor can it take the place of measures to insure the distribution of the many thousands who come in ignorance of the industrial needs and opportunities of this country, and, by a more potent law than that of supply and demand, which speaks to them here in an unknown tongue, colonizes alien communities in our great cities. Such colonies are a menace to the physical, social, moral and political security of the country. . . . Do away with them and the greatest peril of immigration will be removed. . . . Suitable legislation is therefore strongly urged to establish agencies by means of which, either with or without the co-operation of the States, aliens shall be made acquainted with the resources of the country at large, and the industrial needs of the various sections, in both skilled and unskilled labor, the cost of living, the wages paid, the price and capabilities of the land, the character of the climates, the duration of the seasons—in short, all that information furnished by some of the great railway lines through whose efforts the territory tributary thereto has been transformed from a wilderness within a few years to the abiding place of a happy and prosperous population."

should be established at Ellis Island to inform immigrants as to the industries of the several States and the opportunities for employment. Such a bureau would undoubtedly do much to stimulate immigration, and to nullify the contract labor laws. It has also been suggested that if a number of recent arrivals could be sent from the congested districts of our eastern cities to other parts of the country, their friends and relatives coming hereafter would be likely to follow them to the same localities, and thus a considerable distribution be effected.[4]

The difficulty of adequate distribution has been increased in recent years from the change in natural conditions. We have already seen how our population has tended more and more to live in the cities. In the earlier days and in the northwestern part of the country agriculture was the principal occupation, and this in itself necessarily involved the distribution of the workers over considerable areas. In modern times, however, the introduction of plowing and harvesting machinery has very largely reduced the number of laborers required to run

[4] Mr. Eliot Norton, in *Annals of the American Academy of Political and Social Science,* vol. 24, p. 164 (July, 1904) and in *Charities,* vol. 12, pp. 152-154 (Feb. 6, 1904), has laid down the requirements for successful distribution of immigrants as follows: (1). The climate of the locality to which the immigrant is to be removed must be one with which he is satisfied. (2). The immigrant must be assured of a reasonable livelihood in excess of what he would earn in his own country. (3). He must have his railroad fare paid to his destination. (4). He must have some neighbors of his own countrymen. (5). He must have some means of support while getting settled and until he is able to support himself. Immigrants can frequently make satisfactory arrangements with landowners, provided they can be supported until the first harvest is in, but to support them until that time they must either have a surplus of money of their own or a fund must be provided for their maintenance.

a farm. In the case of many crops, extra labor is required only for the few weeks of harvest time, and there is nothing for such labor to do during the balance of the year.[5]

To scatter city slum populations and recent arrivals, in the face of the present movement toward the cities, on a scale large enough to be at all effective, would require vast sums of money. Moreover, a distribution which simply moves large numbers to other localities, where they tend to form the same sort of communities, is not really a solution of the problem,—a problem which is in substance to change them into thrifty and intelligent settlers, whose homes shall be centers of family life and civic interest. To be really effective, thousands of families should be removed from the slums of New York, Chicago, Boston and other cities every year, and the incoming of two or three times as many families of newer immigrants of the same standard of living should be prevented.

[5] As to the effect of farm machinery see Dr. A. C. True of the Department of Agriculture, in *Arena,* vol. 15, pp. 538-540 (Mar. 1897); John Chetwood, Jr., in *Arena*, vol. 17, p. 797 (Dec. 1897). Mr. Gustavo Tosti, acting consul-general of Italy in New York, says:

"There is a misleading idea in certain quarters that the agricultural distribution of Italian immigrants should be obtained simply through the employment of a large number of Italians as farm workers and farm hands. . . . The character of agricultural work is, by its very nature, precarious. The Italian immigrants would thus find employment during a few months of the year, when, for instance, at harvest time, there is an enormous demand for labor. But after a comparatively short period of occupation they would lapse into enforced idleness which would undoubtedly drive them back into the industrial centers. The only way to get at the root of the question is to transform a large portion of our immigrants into land owners or farmers."

Although there is no doubt that distribution is a most important and necessary work, yet the success thus far attained is not very encouraging. The Hebrew Industrial Removal office in New York City sent out 5525 persons in 1903, while in the same year 43,000 Jewish immigrants settled in the city. During the first three years of its existence the society sent out a total of 10,563 persons, and it is evident that its work must be increased many-fold to cope with the present situation. The Italian societies in New York and Boston have also interested themselves in the matter of colonizing immigrants, and the governments of Austria and Italy have lent a helping hand to these movements; but, up to the present time, but little has been accomplished.

The principal difficulty with the distribution scheme is that, in so far as it involves the immigrant taking up agricultural pursuits, most of our modern immigrants are not fitted for such work. Long residence in the ghettoes of Europe has unfitted most of the Jews to be independent farmers. So with the Syrians and Armenians, who, like most of our recent immigrants, are too ignorant to make a success of farming life.

Furthermore, in order to effect a satisfactory distribution immigrants must be needed and desired by the district into which it is proposed to send them. The United States Immigration Investigating Commission in 1895 and the Immigration Restriction League in 1904 made inquiries of the officials of the several States as to their desires and needs in the matter.[6] The results of these two sets of inquiries were substantially the same and disclosed the fact that the only demand on the part of any locality for recent immigration from Southern and East-

[6] For detailed information as to this point, see *infra*, chapter xiv., A.

ern Europe, was for Italian farmers with families and with capital, intending permanent settlement. The races chiefly desired were native Americans, British, Germans, Scandinavians, French and Swiss. In every case, in the recent canvass, the officials objected in the strongest terms to any plan for shipping immigrants from the slums of Eastern cities into their respective localities. On the contrary, many of the States prefer immigrants from other sections of the country, who have resided in the United States for some time and are familiar with American customs, or else the kindred races of Northern Europe with whom we are already familiar.

In the South, industrial competition, combined with the inefficiency of the negro and the movement toward the cities above noted, has created a certain demand for foreign labor for the fields. Thus, we read that the Italian ambassador has recently been attempting to establish Italian immigration centers in Texas, Louisiana, and Georgia with a view to inducing the agricultural element of Italy to settle the vexing problem of working Southern fields. It is significantly stated in the same despatch that "the movement will be financed entirely by New York capital."[7] From this it appears that the plan is not one of pure philanthropy, and, indeed, there is good reason to suppose that it is chiefly the railroad and steamship interests who are behind the distribution scheme, and have been booming it as the only hopeful solution of the immigration question. The reasons for this are not far to seek. On the one hand, these interests realize that their doings in the past have resulted in real and serious evil, and that the public is not going to stand

[7] Cp. Austin Corbin's plan in 1895 to colonize part of Arkansas with Italians. See also, as to Italian colonies, Eliot Lord, J. J. D. Trenor and Samuel J. Barrows, *The Italian in America* (1905).

indefinitely a continuance of the same dumping process. It therefore behooves them to create a diversion of immigrants from the sea board, and more especially a diversion of the public mind from effectual methods of restricting immigration. On the other hand, any distribution scheme tends to increase their own profits; directly, through the transportation of those distributed, and indirectly by the additional transportation of friends and relatives of those so distributed, when they in their turn shall come over.

The South undoubtedly would like immigration; but it is the section of the country where the pride of race purity is the strongest, and the Southern people do not wish the introduction of inferior classes, servile like the negro, but certain to intermingle far more than he with the native stock. It is this feeling which has led several Southern industrial conventions to demand the exclusion of illiterate immigrants.[8]

One of the most hopeful schemes for diverting steerage traffic from Boston, New York, Philadelphia and Baltimore is to induce the steamship companies to make sail-

[8] "The cotton factory development in the South would perhaps suffer more seriously than any other by the invasion of this lawless and pauper immigration, because of the ease by which, with the willingness to accept cheap wages, they could underbid and drive out the excellent high-class American labor with which the mills there are now conducted. The Italian and Austrian could drive out the operatives there just as the Canadians have driven them from the northern cotton mills. Protect the South from this degraded population and her natural advantages and boundless resources will enable her to secure the cream of immigration." Congressman Stanyarne Wilson, of South Carolina. Speech in the House of Representatives, June 16, 1898: *Congressional Record*, p. 6731. In September, 1905, the Farmers' National Congress, sitting at Richmond, Va., passed resolutions in favor of further restriction.

ings directly from the Mediterranean to Mobile, New Orleans or Galveston; and this has, in part, taken place recently. It must be remembered, however, that this merely removes the evil to another part of the country and scatters it, and that nothing short of a careful sifting of immigrants and their settlement in the country districts will prevent the slum and the sweatshop from arising even in comparatively new parts of the country.

The matter of distribution may be summed up in the saying of President Roosevelt that we must exclude the undesirable and at the same time distribute the desirable. Unless we do both nothing will be gained.[9]

B. PROTECTIVE AND ASSIMILATING MOVEMENTS

In recent years many organizations have come into being in the large Eastern cities having for their object the assimilation of immigrants and the improvement of their condition, each society usually dealing with immigrants of one nationality. These organizations have come about partly from the formation of clubs of native-born citizens interested in the various foreign languages, partly as an extension of the practical relief work of the boards of associated charities and college settlements, and partly in response to certain specific needs of the immigrants. All the societies are, in a sense, the descendants of earlier ones, like that of St. Vincent de Paul, whose

[9] "To relieve the pressure of the cities without restricting the number admitted only opens the way for still larger immigration; for, strangely enough, emigration has not relieved the pressure of the population of Europe. In no period of their history, with the exception of Ireland, have the populations of Europe increased at a greater rate than during the last half century of migration to America. As a relief for current immigration, agricultural distribution is not promising." Prof. John R. Commons, in *Chautauquan*, vol. 38, p. 224 (May, 1904).

agents have for many years met arriving vessels and assisted aliens with advice and care. In Boston and in New York, for example, there are Hebrew, German, Italian and other societies engaged in looking after immigrants of their respective nationalities. The Boston Society for the Protection of Italian Immigrants was organized in 1902, largely to protect newcomers from sharpers, thieves and fraudulent persons, who preyed upon them as soon as they had passed inspection; and also from the fraud of bankers and padroni. Restitution of overcharges by foreign railway officials; of overcharges on telegrams; caring for the savings of immigrants and remitting them to Italy; collecting damages and wages due to laborers; finding employment and furnishing instruction, are some of the lines of its work. This Society has had the benefit of a subvention of $1000 a year from the Italian government, which is probably animated in giving it both by a desire to help its citizens and by a keen appreciation of the benefits of the emigration to Italy itself. However this may be, this particular organization has recently become *functus officio,* having secured substantially all of its desired reforms. Its assimilating work is being carried on by one of the college settlements, which is, however, conducting classes in the Italian language. Clubs, industrial classes and classes in English are part of the work. There is also a Benevolent Aid Society for Italian Immigrants.

Similar organizations exist for the various nationalities in most of the large cities. In New York, the Society for the Protection of Italian Immigrants,[10] the United Hebrew Charities, the Educational Alliance, where thousands of immigrant children are fitted to enter the public schools of New York, the German and Scandinavian

[10] G. C. Speranza, in *Outlook,* vol. 76, pp. 928-933 (April 16, 1904).

Societies, and many others, are benevolent, and, to some extent, assimilating agencies.[11] It must be remembered, however, that associations dealing with a race as such, and consequently using chiefly the language of that race, may have some tendency in the other direction, namely, to keep the race a distinct element in the population. Especial attention should be directed by such bodies to the teaching of American history and government.

Many of these societies are concerned with the distribution of immigrants as a means towards their general ends. Outside of the Industrial Removal Office, however, it is not believed that they have done anything in the way of settling significant numbers of persons in the country.

[11] The Boston Italian Society of Columbus obliges its members to be citizens.

CHAPTER XIV

CONSIDERATIONS WITH RESPECT TO FURTHER RESTRICTION

A. PUBLIC OPINION AS TO RESTRICTION

THE attitude of the public toward immigration during the colonial period and down to the taking of control by the Federal Government and the passing of existing legislation, has been already considered.[1] We shall now consider the present attitude of the public toward the general question of restriction, and, also, toward particular methods of regulation, so far as the latter can be inferred from the approval of methods recently proposed which have not yet been enacted into law.

As regards the expression of opinion in speeches, magazine articles and the newspapers, it is only natural to find the great majority of speakers and writers in favor of further restriction. Those who favor leaving things as they are have no occasion to express their views, except once in a while when some bill seems likely to pass Congress to which they are opposed. So far as the writer is aware, although there are some who would like to see the Chinese Exclusion and Contract Labor acts repealed, there are none who desire to let down the present bars against the entrance of diseased, criminal and pauper aliens.

It so happens that many of the most zealous advocates of the further restriction of immigration in recent years

[1] Chapters i. and x.

have belonged to the Republican party; and while there have been Democrats equally zealous, and while the advocates of restriction have always tried to prevent their agitation from becoming a party question, on the whole, the platforms and other authoritative pronouncements of the Republicans have been more favorable to restriction than those of any other party. This has, ostensibly, been the result of the Republican doctrine that that party is the especial friend of labor; and of the obvious incongruity of protecting the manufacturer from the competition of foreign goods while leaving the laborer exposed to the competition of foreign labor.[2]

[2] The Republican platform of 1902, said: "We favor the enactment of more stringent laws and regulations for the restriction of criminal, pauper and contract immigration."

The Democratic platform of the same year, said: "We heartily approve all legitimate efforts to prevent the United States from being used as the dumping ground for the known criminals and professional paupers of Europe, and we demand the rigid enforcement of the law against Chinese immigration or the importation of foreign workmen under contract to degrade American labor and lessen the wages, but we condemn and denounce any and all attempts to restrict the immigration of the industrious and worthy of foreign lands."

The Republican platform of 1896, said: "For the protection of the equality of American citizenship and of wages of our working men against the fatal competition of low-priced labor, we demand that the immigration laws be thoroughly enforced and so extended as to exclude from entrance to the United States those who can neither read nor write."

The Republican platform of 1900, said: "In the further interests of American workmen we favor a more effective restriction of the immigration of cheap labor from foreign lands."

The Democratic platform of the same year said:

"We favor the continuance and strict enforcement of the Chinese Exclusion Law, and its application to the same classes of all Asiatic races."

President McKinley in his inaugural address said: "A

Nevertheless, the votes in Congress by which the illiteracy test has been adopted, nearly every time it has come up, have been such as to indicate the non-partisan standing of the measure in public opinion; and, although perhaps the more vigorous calls for restriction have been found in Republican platforms and speeches, yet some of the most enthusiastic restrictionists have been Democrats. In the 57th Congress the educational test was added to the general immigration bill upon the motion of a leading Democrat from Alabama. Further restriction has also been demanded, at various times, by the Legislatures of California, Nevada, Washington and Wyoming; by the Arkansas House of Representatives by a vote of 80 to 2, in January, 1897; and by the Massachusetts House of Representatives, in 1895. In the 57th Congress, the Report of the Senate Committee on Immigration [3] contained seventy-one closely printed pages of en-

grave peril to the Republic would be a citizenship too ignorant to understand or too vicious to appreciate the great value and beneficence of our institutions and laws, and against all who come here to make war upon them our gates must be promptly and tightly closed."

Restriction was demanded by the Massachusetts Republican platforms of 1897 and 1898. See also the remarks of President Roosevelt in his message to Congress, December 3, 1901, advocating moral, economic and educational tests. In his message of December 7, 1903, he said:

"We cannot have too much immigration of the right kind, and we should have none at all of the wrong kind. The need is to devise some system by which undesirable immigrants shall be kept out entirely, while desirable immigrants are properly distributed throughout the country." See also his message of December 5, 1905.

Cp. Prohibition National platform, June, 1892; President Harrison's message, December 6, 1892.

[3] *Senate Documents*, 57th Cong., 2d Sess., No. 62, pp. 327-398 (1902).

dorsements and petitions for further restriction from all sorts of organizations and individuals. Among these, it is especially interesting to note one by the City Council of Duluth March 16, 1896, adopted by the unanimous vote of sixteen members and approved by the mayor. An examination of the names of the mayor and council discloses the fact that nearly all were unmistakably foreign, largely German and Scandinavian.

With a large section of the public, the demand for restriction has always varied according to industrial conditions and the labor market. When prosperous times have induced a large immigration for a number of years, and then industrial activity falls off, many are thrown out of work; and the newcomers, as well as those whom they have, in many instances, displaced, unite in seeking to prevent still further competitors from entering. In the period prior to 1896, these conditions obtained to a considerable extent. Large numbers were out of employment; and, as we have seen, the commissions and societies engaged in studying the question of unemployment generally advocated further restriction of immigration as a solution of the pending difficulties.[4]

The labor unions have always, by very large majorities, favored further restriction, although the forcefulness of their demand has varied with conditions in the labor market. Thus, the American Federation of Labor in its national convention in 1897 demanded restriction by a vote of 1858 to 351; and it has since repeated the demand at practically every convention. The General Assembly of the Knights of Labor has frequently demanded restriction. In a letter to Representative Watson, dated May 16, 1902, President Gompers of the American

[4] *e. g.* Mass. Commission on the Unemployed (1894), whose report, House Document No. 50, was dated Mar. 13, 1895.

Federation of Labor advocated further restriction, saying that the strength of the country was in the intelligence and prosperity of the working people, and that both of these elements were threatened by the present immigration; that it was the economically weak and not the economically strong who flooded the labor market because they could be got to work cheapest. In the first session of the 57th Congress there were 5082 petitions in favor of restriction of immigration. Of these a considerable part came from labor unions. The largest number was furnished by Pennsylvania, New York, Illinois and Ohio; but there were some from every State, and not a few from the South and West. In addition to the endorsement of the general conventions of the two leading labor organizations, restriction has been demanded by many important national unions, such as the Boiler Makers', Iron Ship Builders', Carpenters and Joiners', Electrical Workers', Glass Blowers', Horse Shoers', Hat Makers', Wood Carvers', and Granite Cutters'.

Whether this practical unanimity of sentiment will continue among them is a question. There have always been a few radicals who have claimed that with the increase to the labor vote, which could be recruited from immigrants, wages could be forced up further and more rapidly than they would tend to be cut down by the competition of immigrants and their children. More recently, as some of the newer nationalities have come under the influence of the trade union movement, and have been formed into unions on the basis of race and language, the probability of any national body containing such local unions, taking radical steps to restrict the immigration of the nationalities in them, becomes very doubtful. This is likely, for example, to affect the Granite Cutters' National Union, as many Italian stone cutters have become members of

local bodies. Nevertheless, for a long time to come the influence of the labor unions is likely to be for further restriction; and they have it in their power to accomplish a great deal if they are sufficiently insistent in their demands.

Another group which comes into contact with immigration almost as directly as the laboring class, are the charity workers. In 1902 over two-thirds of the Boards of Associated Charities of the United States asked for help in their endeavors by a more careful selection of immigrants.

In the report for 1904 of the Associated Charities of Boston this language occurs: "With an immigration as unrestrained as at present, we can have little hope of permanent gain in the struggle for uplifting the poor of our cities, since newcomers are always at hand, ignorant of American standards."

Further restriction has also had the endorsement of the International Convention of Factory Inspectors in 1897; of the National Prison Reform Association in the same year; of the Commander of the Salvation Army; of numerous local, charitable, temperance and reformatory organizations; and of judges who have come in contact with the undesirable side of immigrant life in their official positions. Restriction has also been endorsed by the National Board of Trade, and by many local boards of trade and chambers of commerce in all parts of the country. Not the least significant among commercial organizations are the societies in the Northwestern States for promoting immigration into that region, all of which, so far as the writer is aware, have endorsed further restriction of some kinds of immigration now coming in large numbers.

As shown by press clippings received by the Immigra-

tion Restriction League, about 95 per cent. of the newspapers having editorials upon the immigration question have been in favor of further restriction. This includes German, Scandinavian and Italian newspapers as well as those printed in English.[5] The movement for further restriction has also had the support of all religious beliefs, as well as of the members of all political parties. Thus, although the later immigration is rather more Roman Catholic than the earlier, we find a note of warning against allowing indiscriminate immigration, from such leading Catholics as Bishop Spaulding of Peoria; and although Hebrew immigration has been a close second to Italian for some years, we find numerous leading Jews who consider it desirable, even from the standpoint of their own countrymen, that immigration of the kind recently coming in should be sensibly diminished.

One of the best indications of public sentiment in regard to immigration, is that furnished by the answers of governors and other public officials of the various States, in regard to the desires and needs of their communities. Fifty-two preferences for different nationalities of immigrants were expressed to the Immigration Investigating Commission. These were distributed as follows: 15 were for Germans; 14 for Scandinavians; 2 for English, Scotch or Irish; 3 for French; 2 each for Swiss and Italians; and 1 each for Hollanders, Belgians, "North of Europe" and Americans. It may be noted that there were only two calls for immigrants from Southern and Eastern Europe and that these were both for Italians. One of the governors asking for Italians expressly stated that he was "not sure that immigrants

[5] Cp., for example, *Skandinaven*, Dec. 13, 1895; Chicago *Germania*, though at times opposed; *La Voce del Popolo*, San Francisco, Jan. 18, 20, 22, and 25, 1898.

from any foreign country are desirable as laborers" in his State; and the other said that "unskilled labor is not desired," but that farmers with small means were. As very few of the Italian immigrants now coming to this country become independent farmers—they are chiefly unskilled laborers—it may be conceded, in the second case, that Italian immigration of the present character was not desired.

In 1904, a similar set of questions was sent to the governors of the various States by the Immigration Restriction League, with the following result: Iowa and West Virginia reported that they had a surplus of labor; Connecticut desired some emigration; and Florida, Indiana, Ohio and Washington were in favor of further restriction. Of immigrants desired: 7 States desired native-born; 8, persons from Northern Europe; 15, British; 18, Scandinavians; 20, Germans; 2, Dutch; 3, skilled persons; 11, families intending to settle in the country, and 3, persons with money. In regard to immigrants not welcomed, 3 States did not desire any at all; 2 desired no foreign-born; 5, no Southern and Eastern Europeans; 8, no illiterates; 3, no persons likely to settle in cities; 7, no Asiatic immigrants; one, no Poles; one, no persons of Latin races; one, no persons who were unable to speak English; and 12 no persons distributed from the poorer quarters of Eastern cities. The last choice throws some light upon the distribution of immigrants as a solution of the question of congestion. The replies received by the Immigration Restriction League show that the sentiment in the country has not changed at all since 1895, and that the desire for restricting certain undesirable classes is as strong to-day as ever, in the general community, although it has not had as full expression in votes in Congress. The Farmers' National Congress in

1896, 1897 and 1905 advocated further restriction. And among the newspapers holding the same view may be mentioned the American Grange Bulletin, and a considerable number of papers in the rural districts of the Western and Southern States. The formation of the Immigration Restriction League in 1894, and its active work since that time, are an indication of the public demand for better regulation.[6]

It is believed that there has been practically no pronounced opinion, legislative or executive, against further restriction, with the exception of President Cleveland's veto of the Lodge bill. But, of course, there have been some speeches in Congress against such a policy.[7] The opposition among the general public to further regulation, may be divided into three classes. First, there are those who are opposed on ethical or humanitarian principles.[8] They believe not only in the complete efficacy of natural selection to bring about the most desirable results, but that it is morally wrong to exclude any human being from any part of the earth's surface. The second

[6] The publications of the League may be had free of charge by addressing the Secretary, 60 State St., Boston, Mass. It is a national and non-sectarian organization.

[7] See speech of Senator Charles H. Gibson of Maryland, in *Congressional Record*, vol. 29, p. 2129 (Feb. 17, 1897); of R. B. Mahany of New York, *ibid.*, vol. 28, p. 6053 (May 20, 1896); of Senator Caffery of Louisiana, in *Congressional Record*, vol. 31, p. 600 (Jan. 13, 1898). Cp. Minority Report of the New York Board of Trade and Transportation, Dec. 16, 1903.

[8] For example, Hon. Carl Schurz, Rabbi Charles Fleischer, Edwin D. Mead, William Lloyd Garrison and President Eliot of Harvard. See Mr. Garrison's address before the Massachusetts Reform Club, April 10, 1896, and his open letter to the Immigration Restriction League, in Boston *Herald*, Jan. 17, 1898. See also the sonnet of Miss Emma Lazarus, called "Liberty Enlightening the World."

class opposed to restriction is that of the *laissez faire* economists, represented by men like the late Edward Atkinson and the late David A. Wells. These. likewise, have a belief in the efficacy of natural selection. But, in general, they also support the doctrine that culture is based upon wealth; and that, if an immigrant produces more than he consumes of material wealth, he is in the long run benefiting the country. These economists tend to make light of the moral and social evils of immigration, and to insist solely upon the economic side of the question.[9] The third class opposing further restriction are those directly or indirectly interested in the migration of large numbers of cheap laborers. These are, for the most part, the steamship companies, some of the railroads and the owners of coal mines and certain other industrial plants.[10]

Mention has already been made of the effect of foreign laborers in disintegrating the attitude of the leading labor bodies in favor of further regulation of immigration. An influence somewhat similar is that of societies composed of foreigners. While these may be, ostensibly, benevolent, charitable, educational, protective, literary, or musical they tend inevitably to conserve race distinctions and to favor those of their own race. Societies of this character have increased with great rapidity in recent years, whether, as is alleged by the Commissioner-General of Immigration, in part through the influence of

[9] For a statement of Mr. Atkinson's views see *Forum,* vol. 13, p. 360 (May, 1892). Cp. also George F. Parker, in *Forum,* vol. 14, p. 600 (Jan. 1893); Dr. J. H. Senner, in *Independent,* vol. 45, p. 1 (Nov. 2, 1893); Simon G. Croswell, in *North American Review,* vol. 164, p. 526 (May, 1897); K. H. Claghorn, in *Atlantic,* vol. 86, p. 535 (Oct. 1900).

[10] Their methods of campaign have been considered in connection with the illiteracy test.

foreign governments, or whether entirely through voluntary coöperation of the aliens in this country, is perhaps not very material. In 1896, when the Lodge bill first passed Congress, it encountered practically no opposition except from those financially interested in the exploitation of immigration, that is, the transportation companies. Since that day, however, the societies of aliens have become more alive to the possibilities of restricted immigration, and have attempted to delay and prevent legislation by petitions to Congressmen, and in other ways. This is especially true of the Jews, whose benevolent society, the B'nai B'rith, has taken a pronounced stand against restriction. It is also true of some of the Irish societies, who have probably been moved by the fact that the present immigration is largely Roman Catholic, and that any law restricting it will tend to retard the Romanization of the United States, an object much desired by them. The most effective opposition, however, has probably come from the German societies [11] whose hostility to further legislation has been factitiously exploited in the ways already considered in connection with the educational test. It must be admitted, however, that many Germans consider the present legislation ample. This may be a reaction from the paternalism of their native government.

Upon the whole, the opposition to further restriction is better organized now than it was ten years ago; but, considering the present practice in the Senate, by which each senator has practically a veto on any piece of legislation, the power of an organization sufficiently influential to con-

[11] *e. g.* German Roman Catholic Central Society of North America; North American Gymnastic Society of St. Louis; Liederkranz of New York; Maennerchor of New York; Bavarian Benevolent Society of Cincinnati; German-American National Union. So, also, the Polish National Societies.

trol one or two senators is enough to make legislation very difficult. On the other hand, the public is better informed on the question of immigration than formerly, and when it is sufficiently aroused adequate legislation can doubtless be secured.

B. ETHICAL ASPECTS OF REGULATION

In any discussion of the immigration question, there are always many persons who, admitting the legal power, question the moral right of a country to exclude immigrants, at least such as are honest and well disposed. Among the opponents of restriction in this country have been a number of high-minded and public-spirited men who have based their opposition to such legislation upon this ground. It is desirable, therefore, to consider for a moment the ethical aspects of the matter. We can sympathize with Prof. Mayo-Smith when he says:

"The control of immigration must be free from the base cry of 'America for the Americans' and from any narrow spirit of trade unionism, or of a selfish desire to monopolize the labor market. It must find its justification in the needs of the community, and in the necessity of selecting those elements which will contribute to the harmonious development of our civilization." [12]

It must be remembered, however, that we are living in a democracy which our ancestors established here, and that a democracy is a very delicate machine, requiring for its successful operation certain political and moral ideals, and the intelligent cooperation of every citizen. Our institutions were established by a relatively homogeneous community, consisting of the best elements of population selected by the circumstances under which they came to the new world. To-day, much of our im-

[12] *Emigration and Immigration*, p. 278.

migration is an artificial selection by the transportation companies of the worst elements of European and Asiatic peoples. If the founders of the nation had been of the recent types, can we suppose for a moment this country would enjoy its present civilization? Even as it is, we have been obliged to desert the political theories of the early days, and to adopt various despotic devices in order to control the inferior elements which have come into our body politic.[13]

The most valuable service which the American nation can render to humanity at large is to preserve and to perfect the institutions of its founders. Assuming that we are aiming at making the world as a whole a better place to live in, we must remember that we can accomplish this through the medium of the nation as well as through the medium of the individual; and, bearing in mind that the birth rate in the older countries soon restores in them the precise condition which obtained before immigration took place, we find that in many cases the benefit is not to the country whence the immigrants come, but only, if at all, to the immigrants themselves. By making this "great experiment of free laws and educated labor," as General Walker has called it, a triumphant success we shall help the world more than by allowing indiscriminate immigration.

We may go further, and say it is our duty toward the world, not only to preserve in this country the conditions necessary to successful democracy, but to develop here the finest race of men and the highest civilization. We

[13] John R. Commons, in *Chautauquan*, vol. 38, p. 34 (Sept. 1903); Eliot Norton, in *Annals of the American Academy of Political and Social Science*, vol. 24, p. 162 (July, 1904); *Report of the Commissioner-General of Immigration*, 1902, p. 59; Francis A. Walker, *Discussions in Economics and Statistics*, vol. 2, *passim*.

have in the United States a unique opportunity to try the effect of hybridizing race-stocks upon an enormous scale. In every other department, when we try such experiments, we take care to select the best specimens of each stock. The race horse, the seedless orange, and scores of valuable animals and plants, have been developed as the result of artificial selection, which would never have been brought into existence without it. The human reason is, indeed, one of the forces through which the Power of the Universe works, and it is hard to understand why the *laissez faire* advocates claim it should be excluded from the one field of immigration problems.

Natural selection cannot be trusted of itself to bring about the best results. "Survival of the fittest" means that those survive who are fittest for survival, but not necessarily fittest for any other purpose. This is seen when we compare a statesman or college president who has two children and educates them so that they take useful and important places in society, with some poor drunkard in the slums who has a dozen children and gives them no advantages at all. With modern sanitation these children do not die, as they might have once, but they start with a frightful handicap and are likely to be, to some extent, weakly, criminal and comparatively valueless to the community. Now, the second man has "survived" in his children six times as much as the first man, and yet neither he nor his children may be as fit for any purpose as the first man and his children. In other words, the mere test of reproductive power in time is not a test of qualitative or teleological value. Many who perished in the French Revolution and in the other great massacres of history were undoubtedly superior in every way to those who killed them. The tempest, the plague and the avalanche destroy equally the just and the unjust.

Nature tries her experiments upon a vast scale and can afford to do so. She has infinite time to work in, and so is "careless of the single life." But man can hasten the production of finer types. A recent writer on New Zealand attributes the success of that country, which has the largest per capita wealth of any country in the world, to the artificial selection of its early settlers, following the policy of Gibbon Wakefield.

Let us, then, continue the benefits of that selection which took place in the early days of the nation by sifting the immigration of to-day, so that no discordant elements shall enter to imperil the ideals and institutions of our nation, and to the end that we may produce a still finer race to help the world in its progress. Such selection of immigration surely has the highest ethical sanction. Dr. Phillips Brooks, one of the largest-hearted men of our time, has stated this in the following words:

"No nation, as no man, has a right to take possession of a choice bit of God's earth, to exclude the foreigner from its territory, that it may live more comfortably and be a little more at peace. But if to this particular nation there has been given the development of a certain part of God's earth for universal purposes; if the world, in the great march of centuries, is going to be richer for the development of a certain national character, built up by a larger type of manhood here, then for the world's sake, for the sake of every nation that would pour in upon that which would disturb that development, we have a right to stand guard over it. We are to develop here in America a type of national character, we believe, for which the world is to be richer always. It may be the last great experiment for God's wandering humanity upon earth. We have a right to stand guard over the conditions of that experiment, letting nothing interfere with it, drawing into it the richness that is to come by the entrance of many men from many nations, and they in sympathy with our Constitution and laws."

PART IV

CHINESE IMMIGRATION[1]

[1] See *Select List of References on Chinese Immigration,* issued by the Library of Congress (1904); R. Mayo-Smith, *Emigration and Immigration,* chapter xi; *Report of the Industrial Commission,* vol. 15, pp. 747-802; *Report of the Commissioner-General of Immigration,* 1904, pp. 136-158; Dr. Allen McLaughlin, in *Popular Science Monthly,* vol. 66, p. 117 (Dec., 1904).

CHAPTER XV

HISTORY OF CHINESE IMMIGRATION AND THE EXCLUSION ACTS

The justification for treating Chinese immigration in a separate chapter is found in the fact that Congress, until recently, has always regarded it as a separate subject for legislation, and that the administration of the Chinese Exclusion Acts, until 1900, was entirely distinct from that of the immigration service.[2]

Chinese immigration began in 1854, when about 13,000 came to this country From that date to 1884, several thousand arrived each year, the greatest number being 39,463 in 1882. After 1884, owing to the Exclusion Acts, immigration fell off; and has only recently again reached an appreciable figure. The number of Chinese arriving in 1904 was 4327. From 1821 to 1904, inclusive, the total number of Chinese immigrants was 322,238. At the census of 1900 there were 89,863 Chinese in the United States proper, as compared with 105,465 in 1880. Of the number in the country in 1900, nearly 68,000 were in the Western division, chiefly in California, and the next largest number was 7170 in New York State.

The first treaty between the United States and China was negotiated in 1844. By that instrument and subsequent treaties down to 1868, Americans were given

[2] The administration of the laws relating to Chinese was transferred from the customs division of the Treasury Department to the Immigration Bureau by Act of Feb. 14, 1903, c. 552, 32 Stat. 828.

various trading privileges in China, and the right of migration in either direction was freely recognized. Large numbers of Chinese came in, and were employed in mining and in building the Pacific railroads. They also took part in farming and fruit raising, and a considerable number became domestic servants.[3] But it did not require many years for a strong feeling against the Chinese to arise in the Pacific States. This was not essentially due to race prejudice; the strange dress and manners of the Orientals excited interest and amusement rather than aversion; it was due to the gradual spreading of the conviction that the Chinese were displacing white labor. It was pointed out that, though generally peaceable, temperate and industrious, the Chinaman's standard of living was much inferior to that of white people; that he was able to live and to save money on a few cents a day; and that sooner or later he returned to China with his savings, having indeed added to the natural wealth of this country, but having taken no part in its civic, intellectual or religious life.[4] In addition to the class of peaceable Chinese, there came a smaller but very troublesome class who settled in San Francisco and other large cities of the West, and who were members of secret societies or "tongs" called Highbinders.[5]

[3] As to the Chinese in industry see Hon. George F. Seward, *Chinese Immigration* (1881). Mr. Seward was sometime minister to China and is an enthusiastic defender of the Chinese.

[4] See *Senate Reports*, 44th Cong., 2d Sess., No. 689 (1877).

[5] These societies still exist. They are formed chiefly for making money by the running of opium dens, houses of ill fame and gambling resorts. They do not hesitate to murder any Chinese who stand in the way of their schemes, but, in general, they do not molest white people, fearing that an uprising against their race would be the result. Owing to the fear with which they inspire the Chinese they have hitherto been able to escape the

Economic competition was, however, the principal thing which first stirred up public opinion against the Chinese; and, in 1868, the Burlingame treaty was negotiated, in which, although continuing the declaration in favor of free migration, there was a provision condemning involuntary emigration. Most of the coolie traffic was, in fact, involuntary, the coolies having practically sold themselves for a period of time to certain immigration companies which brought them over and bound out their services.[6] The treaty declared that the Chinese should enjoy the same privileges as to travel and residence as the citizens or subjects of the most favored nation. After this treaty, however, further immigration of Chinese resulted in still more bitter feeling against them, and in 1876 both political parties had planks in their platforms in favor of Chinese exclusion. Even before this time, there were State statutes and city ordinances on the Pacific coast directed against the Chinese. Some of these required that all foreigners should pay a heavy tax for the privilege of mining, and the evidence seems to show that these were enforced against Chinamen and not against others. Other heavy taxes were directed against Chinese laundries. Ordinances also forbade the wearing of queues, and required those letting lodgings to furnish certain air space. The latter were enforced only against the Chinese.

The State of California made several efforts to stop

law. They procure any evidence they desire to clear their members and agents, or to implicate their enemies. Indeed, it is sometimes said that instead of murdering an enemy they use the process of the criminal law by means of perjured testimony.

As to the operation of these societies see *Report of the Industrial Commission*, vol. 15, pp. 762-802.

[6] The early acts prohibiting the coolie traffic have been already mentioned. See chapter x c, p. 210.

Chinese immigration altogether; but these were declared unconstitutional by the Supreme Court of the United States.[7] In 1876, a joint committee of Congress investigated the subject of Chinese immigration and sent in a report strongly unfavorable to the Chinese.[8] In 1878 a bill to restrict Chinese immigration to fifteen persons on any one vessel passed both Houses, but was vetoed by President Hayes[9] on the ground that it was a violation of the Burlingame treaty. Thereupon, an attempt was made to modify that treaty, and in 1880 it was agreed that the United States might limit or suspend the coming of Chinese laborers. Accordingly, in 1882, Congress passed an act to suspend the immigration of Chinese laborers for ten years.[10] It was provided, however, that the act should not apply to Chinese laborers who were in the United States on a certain date or who should come in before the expiration of ninety days after the passage of the act. It also provided that if the Chinese desired to leave the United States they could procure a certificate identifying them, on presentation of which they should be allowed to come in. In 1884, this certificate was made the sole evidence of the right of the Chinese to return.[11] Under these acts and the treaty of 1880, "Chinese laborers" included both manual laborers and those skilled in some art or trade liable to interfere with the industries of the country, and covered practically all immigration other than that for teaching, trade, travel, study and curiosity.[12] The Act of 1884

[7] *Chy Lung* v. *Freeman*, 92 U. S. 275.

[8] *Senate Reports*, 44th Cong., 2d Sess., No. 689.

[9] *House Executive Documents*, 45th Cong., 3 Sess., No. 102, veto of H. R. 2423.

[10] Act of May 6, 1882, c. 126, 22 Stat. 58.

[11] Act of July 5, 1884, c. 220, 23 Stat. 115.

[12] *Lee Ah Yin* v. *United States*, 116 Fed. Rep. 614.

also required that the exempt classes should present certificates from the Chinese authorities identifying them. In spite of these acts, a considerable number of Chinese continued to come; many, no doubt, being smuggled in, as they are at the present day, across the borders. Numerous outrages took place against Chinese laborers in several States and Territories, and Congress, in response to several messages from the President, appropriated various amounts of money as indemnity.

In 1886, China herself undertook to prohibit the coming of laborers to this country. A treaty was agreed upon prohibiting, with certain exceptions, the immigration of Chinese laborers absolutely for twenty years. But, owing to delay on the part of China in the consideration of the treaty, Congress yielded to popular clamor and passed the Act of 1888 to prevent the coming of Chinese laborers.[13] This act forbade any Chinese person, whether a subject of China or of some other power, to enter the United States except as therein provided. Chinese officials, teachers, students, merchants or travelers for pleasure or curiosity were to be permitted to land provided they obtained the permission of their home government, and such permission and their personal identification were to be shown by certificates made out by the diplomatic or consular representative of the United States at the place from which the person came. The term "Chinese laborers" was defined to cover both skilled and unskilled laborers and Chinese employed in mining. The return of Chinese laborers after leaving the United States was forbidden, except that the laborer having a wife, child or parent in the United States or property therein to the value of $1000, or debts due him to such an amount, might return within one year.

[13] Act of Sept. 13, 1888, c. 1015, 25 Stat. 476.

Chinese intending to leave were required to obtain certificates of identification, and were not to return without producing them. On returning, they could enter only at certain specified ports. The certificate was the sole evidence of the right to return. The Secretary of the Treasury was authorized to make regulations to carry out the act. Penalties were also provided in the act for unlawfully bringing Chinese in, and for counterfeiting certificates. Any Chinese or person of Chinese descent found unlawfully in the United States could be arrested on the complaint of any one and deported. An appeal lay from any commissioner to the judge of the District Court.

By another act, passed in 1888,[14] it was provided that Chinese laborers who were absent should not be allowed to return even though they departed upon the faith of prior statutes and that no more return certificates should be issued. In 1892 the so-called "Geary Act" was passed,[15] continuing in force all anti-Chinese legislation for a period of ten years. It further provided that Chinese arrested and adjudged not entitled to remain in the United States should be removed to China, unless it appeared that they were citizens of some other country. It also went so far as to put upon Chinamen when arrested, the burden of proving their right to remain. This clause was held constitutional;[16] but a section providing for imprisonment at hard labor for a year before deportation was held void unless there were a judicial trial.[17] Chinese laborers in the United States were re-

[14] Act of Oct. 1, 1888, c. 1064, 25 Stat. 504.

[15] Act of May 5, 1892, c. 60, 27 Stat. 25. Amended by Act of Nov. 3, 1893, c. 14, 28 Stat. 7.

[16] *Li Sing* v. *United States*, 180 U. S. 486.

[17] *Wong Wing* v. *United States*, 163 U. S. 223.

quired by the act to obtain certificates of residence within six months after its passage. Anyone found after the expiration of the six months without a certificate of residence was to be deemed unlawfully in the United States and arrested and deported unless he could show some good excuse for not complying with the law and also, by at least one witness, other than Chinese, that he was a resident of the country at the time of the passage of the act. No Chinese convicted of felony was to be permitted to register.

The Act of November 3, 1893,[18] defined more fully the terms "merchant" and "laborer." It provided that merchants must establish by two witnesses, other than Chinese, that they had conducted business in the United States for at least one year before leaving and had not engaged in manual labor since; and that certificates should be accompanied by photographs.

In 1894, a new treaty was negotiated with China, intended to cover the same ground as the Geary Act, but repealing the provision of the Act of 1888, which forbade Chinese laborers who had departed to return to this country. This treaty was to last for ten years. It therefore expired in 1904, and has not yet been renewed.

Barring some statutes dealing with detail, the next enactment was that of 1902.[19] This continued all Chinese legislation until otherwise provided; extended it to the immigration of Chinese into island territory of the United States, and prohibited alien Chinese from emigrating from such island territory to the mainland of the United States, or from islands to other islands not of the same group. The act also provided for certificates

[18] C. 14, 28 Stat. 7.

[19] Act of April 22, 1902, c. 641, 32 Stat. 176.

of residence for Chinese in the insular territory. Though the treaty of 1894 expired in 1904, by an act of April 27. 1904,[20] the act of 1902 was amended so as to extend all laws affecting Chinese in force on April 29, 1902, without limitation of time.

Harsh and drastic as some of the foregoing legislation seems to the average man not familiar with the situation on the Pacific coast, it is none too stringent to accomplish the purpose in view. The extent to which courts, government officers, and the public have been cheated and imposed upon by Chinese mendacity and duplicity passes belief. Prior to the photograph requirement above referred to, one hundred cases of pawned certificates were found in one town, and a good business was being carried on in the forging of certificates. In 1901 nearly one-third of those professing to be exempt from the Chinese Exclusion Acts were found to be fraudulent.[21]

The result of the various acts and decisions is, that all Chinese are now excluded except the following classes: (1) Officials; (2) teachers; (3) students; (4) merchants; (5) travellers for curiosity or pleasure. (Persons of these classes must, under the Act of 1884, present certificates of identification from the Chinese government or the government of which they are subjects.) (6) Chinese merchants domiciled here who have temporarily departed. (These must present the certificates required by the Act of 1893.) (7) the minor children of domiciled merchants; (8) wives of officials. (These two classes have been added by the courts.)

[20] C. 1630, 33 Stat. 428.

[21] *Report of the Commissioner-General of Immigration, 1901*, pp. 48-52. Cp. *ibid., 1902*, pp. 73. 74; *ibid., 1903*, pp. 97-99; *ibid., 1904*, pp. 149-158.

(9) personal servants of officials; (10) Chinese laborers registered under the Geary Act. With these should also be mentioned Chinese born in the United States and not subject to the Exclusion Acts.

Of the total of 4327 Chinese persons arriving in 1904, 306 were debarred and returned, chiefly as liable to become public charges. Nearly all of the arrivals were males between the ages of fourteen and forty-five. The illiteracy of those over fourteen was 8.2 per cent., which was one-third that of the Japanese, and one-sixth that of the Syrians. This is what we should expect, as the Chinese allowed to come in belong to the better classes, or have resided here for some time. Of the total number, 2946 had been in the United States before. The total money shown was $86,900, or about $20 per capita.

Upon the general policy of the Chinese Exclusion Acts there is a hopeless difference of opinion. Organized labor is unalterably opposed to the admission of Chinese labor; the railroads, some manufacturers, and many planters, especially in the South, would like the benefit of its cheapness. Recently, the desire to obtain free entrance to Chinese markets for American manufactures has led to an agitation for the repeal or modification of the acts which are offensive to the Chinese. Many persons think the Chinese should be put under the immigration laws now applied to other races. Others say that the Chinese are so essentially different in character and habits even from inferior classes of Europeans, that they cannot be put upon the same footing. It seems probable that the acts may be modified, but their repeal in the near future is unlikely.

APPENDIX

APPENDIX I

STATISTICAL TABLES

TABLE I

IMMIGRATION BY DECADES, 1821 TO 1900

(From *Report of the Industrial Commission,* vol. 15, p. 267, and *Reports of the Commissioner-General of Immigration.*)

1821 to 1830	143,439
1831 to 1840	599,125
1841 to 1850	1,713,251
1851 to 1860	2,598,214
1861 to 1870	2,314,824
1871 to 1880	2,812,191
1881 to 1890	5,246,613
1891 to 1900	3,687,564
1901 to 1905 (five years)	3,833,076
Total, 1821-1905	22,948,297

TABLE II

ANNUAL IMMIGRATION 1820-1905 [1]

(From *Special Consular Reports,* vol. 30, p. xi., and reports of the Immigration Bureau.)

Year ending Sept. 30	
1820	8,385
1821	9,127
1822	6,911
1823	6,354
1824	7,912
1825	10,199
1826	10,837

[1] Alien passengers 1820 to 1868; immigrants 1869 to 1905.

Year ending Sept. 30	
1827	18,875
1828	27,382
1829	22,520
1830	23,322
1831	22,633
15 months ending Dec. 31	
1832	60,482
Year ending Dec. 31	
1833	58,640
1834	65,365
1835	45,374
1836	76,242
1837	79,340
1838	38,914
1839	68,069
1840	84,066
1841	80,289
1842	104,565
9 months ending Sept. 30	
1843	52,496
Year ending Sept. 30	
1844	78,615
1845	114,371
1846	154,416
1847	234,968
1848	226,527
1849	297,024
1850	310,004
3 months ending Dec. 31	
1850	59,976
Year ending Dec 31	
1851	379,466
1852	371,603
1853	368,645
1854	427,833
1855	200,877
1856	200,436
1857	251,306
1858	123,126
1859	121,282
1860	153,640
1861	91,918
1862	91,985
1863	176,282
1864	193,418
1865	248,120
1866	318,568
1867	315,722

6 months ending June 30	
1868	138,840
Year ending June 30	
1869	352,768
1870	387,203
1871	321,350
1872	404,806
1873	459,803
1874	313,339
1875	227,498
1876	169,986
1877	141,857
1878	138,469
1879	177,826
1880	457,257
1881	669,431
1882	788,992
1883	603,322
1884	518,592
1885	395,346
1886	334,203
1887	490,109
1888	546,889
1889	444,427
1890	455,302
1891	560,319
1892	623,084
1893	439,730
1894	285,631
1895	258,536
1896	343,267
1897	230,832
1898	229,299
1899	311,715
1900	448,572
1901	487,918
1902	648,743
1903	857,046
1904	812,870
1905	1,026,499

TABLE III

NUMBER AND PERCENTAGE OF IMMIGRANTS 1821 TO 1903 AND IN 1903

(From *Special Consular Reports*, vol. 30, p. viii.)

Country of last permanent residence	1821 to 1902 Total number	1821 to 1902 Per-centage	1903 [2] Total number	1903 [2] Per-centage	1821 to 1903 Grand total
Austria-Hungary	1,316,914	6.46	206,011	24.04	1,522,925
Belgium	68,211	.33	———	——	68,211
Denmark	204,502	1	———	——	204,502
England & Wales	2,730.037	13.43	26,219	3.06	2,766,156
France	408,619	2	———	——	408 619
Germany	5,098,005	24.98	40,086	4.67	5,138,091
Ireland	3,944,269	19.33	35,300	4.12	3,979,569
Italy	1,358,507	6.66	230,622	26.91	1,589,219
Netherlands	137,323	.67	———	——	137,323
Norway & Sweden	1,334.931	6.54	70,489	8.22	1,405,420
Russia & Poland	1,106,362	5.42	136,093	15.89	1,242,455
Scotland	388,506	1.9	———	——	388,506
Spain & Portugal	84,381	.42	———	——	84,381
Switzerland	208,963	1.02	———	——	208,963
All other Europe	82,321	.4	———	——	82,321
Total Europe	18,481,841	90.56	744,820	——	19,226,661
British N. America	1,050,682	5.16	———	——	1,050,682
Mexico	29,033	.14	———	——	29,033
Central America	3,372	.02	———	——	3,372
South America	14,417	.07	———	——	14,417
West Indies	134,859	.66	———	——	134,859
Islands of the Atlantic	35,706	.17	———	——	35,706
Total Western Hemisphere	1,268,069	6.22	———	——	1,268,069
China	317,929	1.56	———	——	317,929
All other Asia	103,161	.5	———	——	103,161
Total Asia	421,090	2.06	———	——	421,190
Africa	2,792	.01	———	——	2,792
All other countries	234,885	1.15	112,226	13.09	347,111
Total	20,408,677	100	857,046	100	21,265,723

[2] Classification of immigrants in 1903 confined to only seven European nationalities.

TABLE IV

PER CENT. OF NATIONALITIES IN TOTAL IMMIGRATION

(From *Report of the Industrial Commission*, vol. 15, p. 275.)

Period	England, Scotland and Wales	Ireland	Germany	Scandinavian Countries	All others	Italy	Austria Hungary	Russia and Poland
Decades	Per cent.	Per cent.	Per cent.	Per cent	Per cent.	Per cent.	Per cent.	Per cent
1821-30	17	35	4.8	0.2	42.6	0.3		0.06
1831-40	12.5	35	25	.5	26.6	.4		.1
1841-50	15.5	46	25	.8	12.6	.1		.04
1851-60	16	35	37	.9	10.7	.3		.06
1861-70	26	19	34	5	15	.5	0.3	.2
1871-80	19	16	26	8	24.5	2.	2.5	2
1881-90	14.5	12.5	28	11	16	7.	7	5
1891-1900	7.4	15	13.7	10.1	3.8	16.7	16.	16.3

TABLE V

DISTRIBUTION OF RECENT IMMIGRANTS IN CERTAIN STATES

(Compiled from Censuses of 1890 and 1900.)

Natives of Poland in Certain Cities and Urban Countics.

	1890		1900	
	Number	Per cent. of all in State	Number	Per cent. of all in State
Illinois:				
Cook County (Chicago).....	25,336	87.7	62,008	91.3
Michigan:				
Wayne County (Detroit)....	5,599	35.7	14,236	50.3
Massachusetts:				
Boston.....	954	28.6	3,832	17.8
Cities above 25,000 inhabitants in 1890.....	1,315	39.4	10,367	48.3
Cities above 25,000 inhabitants in 1900[3].....	——	——	10,449	48.6
New York:				
New York City[4].....	——	——	32,873	47.1
Erie County (Buffalo).....	8,929	39.3	19,776	28.4
Cities above 25,000 inhabitants in 1890.....	19,426	85.5	57,095	81.9
Cities above 25,000 inhabitants in 1900[4]	——	——	58,229	83.5

[3] The number of foreign-born inhabitants, in 1890, of cities which had not then 25,000 people, is not obtainable.

[4] The number of foreign-born inhabitants, in 1890, of the present area of New York city, cannot be determined.

	1890 Number	1890 Per cent. of all in State	1900 Number	1900 Per cent of all in State
Wisconsin:				
Milwaukee County	10,066	57.0	17,644	55.5
Natives of Italy in Certain Cities and Urban Counties.				
Connecticut:				
Cities above 25,000 inhabitants in 1890	2,723	51.5	10,657	55.8
Cities above 25,000 inhabitants in 1900	———	———	10,832	56.7
Illinois:				
Cook County (Chicago)	5,734	71.4	16,915	72.0
Massachusetts:				
Boston	4,718	58.5	13,738	47.7
Cities above 25,000 inhabitants in 1890	5,936	73.6	18,592	64.6
Cities above 25,000 inhabitants in 1900 [5]	———	———	19,442	67.5
New Jersey:				
Essex County (Newark, etc.)	3,598	27.7	11,896	28.4
Hudson County (Jersey City, etc.)	3,039	23.4	9,646	23.0
Passaic County (Paterson, etc.)	1,198	9.2	5,798	13.8
New York:				
New York City [6]	———	———	145,433	79.8
Cities above 25,000 inhabitants in 1890	53,533	83.5	157,856	86.6
Cities above 25,000 inhabitants in 1900 [6]	———	———	158,463	87.0
Connecticut:				
New Haven	1,160	38.3	3,193	28.0
Hartford	492	16.3	2,260	19.8
Cities above 25,000 in 1890	1,879	62.1	7,237	63.4
Cities above 25,000 in 1900 [5]	———	———	8,030	70.4
Illinois:				
Chicago	7,683	91.4	24,178	84.2

[5] The number of foreign-born, in 1890, in cities which had not then 25,000 people, is not obtainable.

[6] The number of foreign-born inhabitants, in 1890, of the present area of New York city, cannot be determined.

Natives of Russia in Certain Cities and Urban Counties.

	1890		1900	
	Number	Per cent. of all in State	Number	Per cent. of all in State
Massachusetts:				
Boston	4,305	58.8	14,995	55.6
Cities above 25,000 in 1890	5,831	79.6	23,819	88.3
Cities above 25,000 in 1900 [7]	———	———	24,170	89.7
New Jersey:				
Essex County (Newark, etc.)	1,348	25.3	5,877	29.8
Hudson County (Jersey City, etc.)	869	16.3	4,592	23.3
Passaic County (Paterson, etc.)	546	10.3	2,422	12.3
Union County (Elizabeth, etc.)	364	6.8	1,251	6.3
New York:				
New York City [8]	———	———	155,201	93.7
Cities above 25,000 in 1890	56,076	95.9	161,354	97.4
Cities above 25,000 in 1900 [8]	———	———	161,491	97.5
Pennsylvania:				
Philadelphia	7,879	45.5	28,951	56.8

[7] The number of foreign-born, in 1890, in cities which had not then 25,000 people, is not obtainable.

[8] The number of foreign-born inhabitants, in 1890, of the present area of New York city, cannot be determined.

TABLE VI

RACIAL COMPOSITION OF CITY SLUMS

(Compiled from *Seventh Special Report of the Commissoner of Labor*, pp. 44, 120, 160-164.)

Austria-Hungary, Italy, Poland, and Russia			United Kingdom, France, Germany, and Scandinavia	
Per cent. of Total Population	Per cent. of Slum Population		Per cent. of Total Population	Per cent. of Slum Population
		BALTIMORE.		
1.97	12.72	CHICAGO.	13.52	27.29
6.41	44.44	NEW YORK.	30.70	10.64
9.45	51.11	PHILADELPHIA.	30.73	8.64
1.95	50.28		22.95	8.44

Note: that Southeastern Europe furnishes 3 times as many inhabitants as Northwestern Europe to the slums of Baltimore, 19 times as many to the slums of New York, 20 times as many to the slums of Chicago, 71 times as many to the slums of Philadelphia.

The comparative degree of illiteracy of foregoing elements of slums is as follows for the above-mentioned four cities:

Scandinavia	5.6%
Great Britain	7.0
France	10.2
Germany	21.9
Ireland	40.4
Average of Group	25.5
Austria-Hungary	16.6
Russia	37.1
Poland	46.1
Italy	66.4
Average of Group	54.5
Native Americans	7.4

TABLE VII

THE BIRTH RATES OF NATIVE-BORN AND FOREIGN-BORN IN MASSACHUSETTS, RHODE ISLAND AND FOREIGN COUNTRIES

(Compiled by R. R. Kuczynski.)

COUNTRIES AND STATES	Years	Births to 1000 Females of child-bearing age (15-50 yrs.)
Hungary	1888-93	168.4
Austria	1888-93	147.4
Germany	1893-97	144.1
Massachusetts (foreign-born)	1893-97	141.3
Netherlands	1887-92	139.7
Rhode Island (foreign-born)	1893-97	135.4
Finland	1888-93	134.0
Denmark	1887-92	127.0
Norway	1888-93	124.9
Scotland	1889-93	120.2
Belgium	1889-93	120.2
England and Wales	1889-93	118.2
Sweden	1888-93	115.8
Massachusetts (State)	1893-97	94.4
Rhode Island (State)	1893-97	91.4
Ireland	1889-93	90.6
France	1894-98	85.1
Massachusetts (native-born)	1893-97	65.0
Rhode Island (native-born)	1893-97	63.0

APPENDIX II

UNITED STATES IMMIGRATION LAW

ACT OF FEBRUARY 20, 1907

AN ACT To regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United States. The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided,* That the Com-

missioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory: *Provided further,* That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above that amount shall not be added to the "immigrant fund:" *Provided further,* That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply: *Provided further,* That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons

hereinafter called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe: *Provided,* That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further,* That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further,* That skilled labor may be imported if labor of like kind unemployed cannot be found in this country: *And provided further,* That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Sec. 3. That the importation into the United States of any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States, shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or prac-

ticing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

SEC. 5. That for every violation of any of the provisions of section four of this Act the persons, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid. And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite, or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United States, and the

agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.

SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.

SEC. 9. That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time, such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided,* That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental

or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.

Sec. 12. That upon the arrival of any alien by water at any port within the United States it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States, and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so, for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board. Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel; and any neglect or omission

to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act. That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor: *Provided,* That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date; *Provided further,* That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.

SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feebleminded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided,* That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fine exceed one hundred dollars.

SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided,* That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

SEC. 17. That the physical and mental examination of all ar-

riving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien, or, should medical officers of the United States Public Health and Marine Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment; and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on

conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid: *Provided,* That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided,* That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund" but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quarantinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor: *Provided,* That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.

SEC. 20. That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that cannot be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came: *Provided,* That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.

SEC. 21. That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act, and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act: *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid: all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accord-

ance with the provisions of section seventeen, for service in foreign countries.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or decreased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*, That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed. Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly

and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law. Each board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration

for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district, county, or municipality in which such alien becomes a public charge.

SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided,* That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.

SEC. 38. That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated

with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.

Sec. 39. That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental,

moral and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall be had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the

United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided,* That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passengers shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea."

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine.

Approved, February 20, 1907.

NOTE.—The Act of February 14, 1903, established the Department of Commerce and Labor and transferred to it the Immigration Bureau and the administration of the Chinese Exclusion Acts.

The Act of March 22, 1904, exempted from the head-tax citizens of Newfoundland entering the United States.

The Acts of July 1, 1902, and March 18, 1904, applied the immigration laws to the Philippine Islands.

The Act of April 27, 1904, extended in force all anti-Chinese legislation without limitation.

TEXT OF THE LODGE ILLITERACY TEST BILL (H. R. 7864), AS PASSED BY CONGRESS IN FEBRUARY, 1897, AND VETOED BY PRESIDENT CLEVELAND.

"SEC. 1. That section 1 of the Act of March 3, 1891, in amendment of the immigration and contract labor acts, be, and hereby is, amended by adding to the classes of aliens thereby excluded from admission to the United States the following: All persons physically capable and over sixteen years of age who cannot read and write the English language or some other language; but a person not so able to read and write who is over fifty years of age and who is the parent or grandparent of a qualified immigrant over twenty-one years of age and capable of supporting such parent or grandparent, may accompany such immigrant, or such a parent or grandparent may be sent for and come to join the family of a child or grandchild over twenty-one years of age, similarly qualified and capable, and a wife or minor child, not so able to read and write, may accompany or be sent for and come to join the husband or parent similarly qualified and capable.

SEC. 2. For the purpose of testing the ability of the immigrant to read and write, as required by the foregoing section, the inspection officers shall be furnished with copies of the constitution of the United States, printed on numbered uniform pasteboard slips, each containing not less than twenty nor more than twenty-five words of said constitution printed in the various languages of the immigrants in double small pica type. These slips shall be kept in boxes made for the purpose, and so constructed as to conceal the slips from view, each box to contain slips of but one language, and the immigrant may designate the language in which he prefers the test shall be made. Each immigrant shall be required to draw one of said slips from the box and read, and afterwards write out, in full view of the immigration officer, the words printed thereon. Each slip shall be returned to the box immediately after the test is finished, and the contents of the box shall be shaken up by an inspection officer before another drawing is made. No immigrant failing to read and write out the slip thus drawn by him shall be admitted, but he shall be returned to the country from which he came at the expense of the steamship or railroad company which brought him, as now provided by law. The inspection officer shall keep in each box at all times a full number of said printed pasteboard slips, and in the case of each excluded immigrant shall keep a certified memorandum of the number of the slip which the said immigrant failed to read or copy out in writing. If in any case, from any unavoidable cause, the foregoing slips are not at hand for use, the inspection officers shall carefully and thoroughly test the ability of the immigrant to read and write, using the most appropriate and available means at their command, and shall state fully in writing the reasons why the slips are lacking, and describe the substitute and method adopted for testing the ability of the immigrant.

SEC. 3. That the provisions of the act of March 3, 1893, to facilitate the enforcement of the immigration and contract labor laws, shall apply to the persons mentioned in section 1 of this Act.

SEC. 4. That it shall hereafter be unlawful for any male alien who has not in good faith made his declaration before the proper court of his intention to become a citizen of the United States to be employed on any public works of the United States or to come regularly or habitually into the United States by land or water for the purpose of engaging in any mechanical trade or manual labor for wages or salary, returning from time to time to a foreign country.

SEC. 5. That it shall be unlawful for any person, partnership, company, or corporation knowingly to employ any alien coming into the United States in violation of the next preceding section of this act: *Provided*, that the provisions of this act shall not apply to the employment of sailors, deckhands, or other employees of vessels, or railroad train hands, such as conductors, engineers, brakemen, firemen, or baggagemen, whose duties require them to pass over the frontier to reach the termini of their runs, or to boatmen or guides on the lakes and rivers on the northern border of the United States.

SEC. 6. That any violation of the provisions of sections 4 and 5 of this act by any alien or citizen shall be deemed a misdemeanor, punishable by a fine not exceeding $500 or by imprisonment, for the term of not exceeding one year, or by both such fine and imprisonment, in the discretion of the court: *Provided*, that all persons convicted of a violation of section 4 of this act shall be deported to the country whence they came.

SEC. 7. That, notwithstanding the provisions of this or any other existing law, the Secretary of the Treasury may permit aliens to enter this country for the purpose of teaching new arts or industries under such rules and regulations as he may provide.

SEC. 8. That this act shall not apply to persons arriving in the United States from any port or place in the island of Cuba during the continuance of the present disorders there who have heretofore been inhabitants of that island.

SEC. 9. That this act shall take effect July 1, 1897.

[Sections 4 to 6 constituted the so-called Corliss Amendment, and were no part of the original Lodge bill.]

APPENDIX III

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The following bibliography is intended to give the principal authorities; it is not in any sense exhaustive.

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